

*Submitted by the Premier during
a ministerial statement*

28/5/03

①

5331

LAID DOWN
BY

MINISTERIAL
STATEMENT

TRANSCRIPT
4QR 8AM NEWS
MONDAY 18 AUGUST 1997

BIRD

RE: PAEDOPHILIA

Documents 1 - 35

REPORTER: ON THE DAY THE QUEENSLAND GOVERNMENT IS TO RECEIVE A MAJOR REPORT ON PAEDOPHILIA IN THE STATE, A NORTH QUEENSLAND LABOR MP IS ABOUT TO EXPOSE WHAT INVESTIGATORS BELIEVE IS A POSSIBLE PAEDOPHILE NETWORK CENTRED ON THE INTERNATIONAL RESORTS OF THE WHITSUNDAYS. THE STATE MEMBER FOR WHITSUNDAY LORRAINE BIRD SAID SHE HAS EVIDENCE OF A WIDE RANGE OF CHILD SEX ACTIVITIES IN THE REGION AND SHE BELIEVES THAT POLICE MAY HAVE BEEN PROTECTING THE RACKET SINCE THE EARLY 90S. THE ABC'S COLIN WILSON REPORTS THE INFORMATION COLLECTED OVER THE PAST DECADE WILL BE PRESENTED TO THE QUEENSLAND GOVERNMENT'S NEWLY APPOINTED MINISTERIAL ADVISOR BOB BOTTOM.

REPORTER: MR BOTTOM IS ALSO INTERESTED IN EXAMINING RECENTLY RECOVERED INFORMATION THAT COULD LINK A FORMER MACKAY DISTRICT PENSIONER WITH AN INTERNATIONAL PAEDOPHILE NETWORK. INTERPOL HAD BEEN INVESTIGATING THE GLOBAL ACTIVITIES OF THE NOW DECEASED THEO WATTS BROWN. MR BROWN WAS INVOLVED WITH MORE THAN 200 BOYS IN A SCUBA DIVING SCHOOL AND RESEARCH CENTRE IN QUEENSLAND AND NEW SOUTH WALES. THE FILES WILL REACH MR BOTTOM ON THE EVE OF THE QUEENSLAND CHILDREN'S COMMISSION REVIEW INTO PAEDOPHILIA DUE TO BE PRESENTED TO PARLIAMENT TOMORROW. MRS BIRD SAYS HER INFORMATION PAINTS A SORDID PICTURE OF PROSTITUTION AND CHILD PORN, STREET KIDS AS YOUNG AS 10 BEING TRANSFERRED TO ISLAND RESORTS FOR THE SEXUAL PLEASURE OF TOURISTS. MRS BIRD SAYS SHE'S NOT IN A POSITION TO PUBLICLY NAME NAMES, HER INFORMATION HAS BEEN SUPPLIED BY OVERTAXED SOCIAL WORKERS, BY PEOPLE WHO INSISTED ON REMAINING ANONYMOUS, TIP OFFS AND IN SOME CASES THE VICTIMS THEMSELVES. MRS BIRD SAYS WHEN SHE FIRST CONTACTED POLICE IN CONNECTION WITH THE CHILD PORN ACTIVITIES IN THE WHITSUNDAYS SHE WAS TOLD TO BACK OFF.

BIRD: ON THE FEW OCCASIONS THAT I'VE GONE PUBLIC WITH THE INFORMATION THAT I'VE HAD, I HAVE BEEN REQUESTED TO BACK OFF BECAUSE I WAS INTERFERING WITH POLICE AT THAT TIME OPERATIONS.

REPORTER: DO YOU BELIEVE THERE WAS AN OPERATION AT THAT TIME?

BIRD: NO.

REPORTER: AND YOU'VE FOUND THAT OUT THROUGH OTHER SOURCES HAVE YOU?

BIRD: YES I'VE CHECKED THROUGH OTHER SOURCES AND AT THE TIME THAT I WAS ADVISED TO BACK OFF, THERE WAS NO OPERATION OCCURRING.

REPORTER: WHAT INFORMATION DO YOU INTEND TO PRESENT TO MR BOTTOM TODAY.

BIRD: OVER THE PAST 8 TO 10 YEARS WE'VE HAD A FAIR AMOUNT OF MOSTLY ANONYMOUS INFORMATION THAT HAS COME TO US CONCERNING PAEDOPHILIA IN THE WHITSUNDAYS AND MACKAY. SOME OF IT WE'VE TAKEN SERIOUSLY, SOME WE HAVEN'T, NEVER THE LESS WE'VE COLLATED MOST OF THAT AND THAT'S WHAT I'M PRESENTING TO BOB BOTTOM.

REPORTER: I UNDERSTAND EVIDENCE OR INFORMATION HAS COME THROUGH CONCERNING ACTIVITIES ON ONE PARTICULAR ISLAND IN THE WHITSUNDAY.

BIRD: WELL THERE'S ALWAYS STORIES ABOUT THE ISLANDS, THE STORIES ARE THAT YOU CAN ALWAYS GET WHAT YOU WANT NO MATTER WHAT EVER IS YOUR FANTASY ON THE ISLAND, BUT THE ISLANDS HAVE BEEN MOST PROMINENT IN ABUSE IN THIS RESPECT. I MEAN WE HAVE REPORTS OF BOATS COMING IN WITH YOUNG BOYS, PARTICULARLY FURTHER NORTH, AND BRINGING YOUNG LADS FROM OUTSIDE THE AREA INTO THE AREA PARTICULARLY IN TERMS OF FILMS ON AN ISOLATED BEACH, BUT ALSO THERE'S ACTIVITIES BEING MENTIONED ON ONE OF THE BIGGER ISLANDS WHERE BOYS WERE AVAILABLE FOR ANYONE WHO WANTED THEM.

ENDS.

*Tabled by the Premier during
a ministerial debate*

25/5/03

(2)

1
TRANSCRIPT
4QR ANNA REYNOLDS
MONDAY 18 AUGUST 1997
BOB BOTTOM
RE: ALFORD & PAEDOPHILIA

8.30 AM

*SEE PAGE
5 OF
TRANSCRIPT*

REYNOLDS: WELL AS MORE ALLEGATIONS OF POLICE PROTECTION OF PAEDOPHILIA EMERGE THERE ARE CLAIMS THAT NORM ALFORD, THE CHILDREN'S COMMISSIONER WHO'S REPORT ON PAEDOPHILIA IS ABOUT TO BE TABLED IN THE PARLIAMENT, IS HIMSELF THE TARGET OF A DIRTY TRICKS CAMPAIGN. BOB BOTTOM, THE GOVERNMENT'S NEW CRIME ADVISOR WHO IS CURRENTLY STILL WORKING WITH MR ALFORD, SAYS THE MEDIA HAVE BEEN CONTACTED OVER THE LAST FEW DAYS WITH INFORMATION ATTEMPTING TO BESMIRCH MR ALFORD'S CHARACTER, MR BOTTOM JOINS US NOW.

WHAT SORT OF INFORMATION ARE WE TALKING ABOUT?

BOTTOM: IN QUEENSLAND, IN THE LAST DECADE IN PARTICULAR, THERE HAS BEEN GREAT EMPHASIS ON WHAT THEY CALL THE SO CALLED WESTMINSTER SYSTEM OF GOVERNMENT, THAT IS THE SEPARATION OF POWERS BETWEEN PARLIAMENT, THE EXECUTIVE AND THE JUDICIARY. THERE IS ALSO ANOTHER FACTOR AND THAT IS THE FOURTH ESTATE AS THEY CALL IT, PROBABLY MORE POWERFUL THAN ALL. NEARLY TEN DAYS AGO WE WERE ADVISED TO BE PREPARED FOR A SORT OF DISINFORMATION, DENIGRATION CAMPAIGN AND IN FACT IT WAS THAT WE WERE PROVIDED WITH A BRIEFING ON WHAT HAPPENED TO DES STURGESS AFTER HE DID HIS REPORT WHEN IT WAS RELEASED IN 1987 AND INDEED WE EXPECTED SOMETHING TO HAPPEN AFTER THE REPORT CAME DOWN, BUT WHY I'M PROMPTED TO TALK TODAY IS THAT ONE WEEK AGO THE FIRST MOVE IN THIS CAMPAIGN BEGAN DIRECTED AT A PERSON CONNECTED WITH LIZ CUNNINGHAM, THE MEMBER FOR GLADSTONE AND THE INDEPENDENT IN THE PARLIAMENT, IN WHICH AN ATTEMPT WAS MADE TO SCARE OFF SOMEONE WHO HAD BEEN HELPFUL TO OUR COMMISSION AND HAD BEEN BRIEFED ON CERTAIN MATTERS AND I WON'T GO MUCH FURTHER, BUT THAT MATTER IS DOCUMENTED. THEN LAST WEEK, PARTICULARLY FOLLOWING YOUR PROGRAM, A CAMPAIGN TO GET BOB BOTTOM STARTED, I'M VERY USED TO THAT, IT'S HAPPENED RIGHT THROUGHOUT MY CAREER, IT'S PAR FOR THE COURSE, BUT WHAT WAS SIGNIFICANT ABOUT THE ONE THAT MYSELF IT INVOLVED POLITICIANS NOT CONFINED TO ONE PARTY, CERTAIN

ELEMENTS AT POLICE HEADQUARTERS AND INDEED THE CJC. INDEED I CAN TELL YOU THE MATTER IN RELATION TO THE CJC CAME TO ME VIA SYDNEY, THAT MAY BE OKAY AND IT'S PAR FOR THE COURSE AND I'VE EXPECTED IT BUT WHAT'S GALLED ME IS THAT AT THE WEEKEND WHEN NORM ALFORD, THE ONE PERSON IN QUEENSLAND HISTORY PREPARED TO DO SOMETHING ABOUT PAEDOPHILIA, OPENED UP HIS COMMISSION AT THE WEEKEND TO RECEIVE WITNESSES AND WE'RE IN THE PROACTIVE STAGE NOW, POLITICIANS TOOK IT UPON THEMSELVES TO RING AROUND TO THE PRESS OF QUEENSLAND SEEKING TO DENIGRATE NORM ALFORD, ALONGSIDE MYSELF OF COURSE, PRIOR TO THAT PRESENTATION OF THAT REPORT.

REYNOLDS: POLITICIANS FROM WHICH PARTY?

BOTTOM: FROM TWO PARTIES, AND AT THIS STAGE I CAN'T NOMINATE THEM, NO LEADER OF ANY PARTY, BUT I THINK IN TIME I WOULD HOPE IN THE DAYS AHEAD THAT THEY THEMSELVES MAY REVEAL THEMSELVES MAYBE IN THE PARLIAMENT, BUT THE FACT IS THAT ONE OF THE REFERENCES OF NORM ALFORD WAS A TRIP HE TOOK OVERSEAS. THE TRIP HE TOOK OVERSEAS WAS TO REPRESENT AUSTRALIA AND QUEENSLAND AT THE BIGGEST CONFERENCE HELD IN THE WORLD SO FAR TO TACKLE PAEDOPHILIA, THAT WAS THE WORLD CONGRESS AGAINST SEXUAL EXPLOITATION OF CHILDREN AND IT'S ABSOLUTELY REPREHENSIBLE THAT POLITICIANS WOULD SEEK TO SNEERING BEHIND THEIR HANDS AND SUGGESTING TO NEWSPAPERS AND OTHERS TO CHECK OUT A TRIP OF THAT NATURE, IT'S JUST DAMNEDABLE. NOW THE FACT IS TO PUT THIS THING IN PERSPECTIVE, WHILE POLITICIANS ARE PLAYING THERE GAMES, AS I WAS SAYING NORM ALFORD, OFTEN PEOPLE MENTION 18 ROYAL COMMISSIONS, I'VE GIVEN EVIDENCE TO MORE THAN THAT NUMBER AT TIMES AND BEEN CONNECTED WITH PROBABLY EVERY ROYAL COMMISSION IN THIS COUNTRY, I HAVE NEVER STRUCK A MAN MORE OPEN AND PREPARED TO TAKE SOMETHING ON THAN NORM ALFORD, IN FACT HE'S A BETTER PROSPECT FOR QUEENSLAND AT THE MOMENT THAN FITZGERALD, STURGESS OR ANYONE ELSE IN, I MIGHT JUST SAY THIS IS A VERY, VERY SERIOUS MATTER AND NOT ONE FOR POLITICIANS OR EVEN PEOPLE IN LAW ENFORCEMENT AGENCY TO BE LOBBYING AROUND THE TOWN AND SORT THEMSELVES OUT.

REYNOLDS: AND WHY DO YOU THINK HE'S BEING TARGETED LIKE THIS AT THIS TIME.

BOTTOM: WELL I THINK PARTLY A LOT OF IT'S THE RESPONSE TO THE COURIER MAIL SERIES AND TO THEIR CREDIT THEY'VE REVEALED THE STATE OF AFFAIRS. WE'RE PRIVY TO INFORMATION THAT NOT ONLY CONFIRMS WHAT THE COURIER MAIL HAS BEEN REVEALING, BUT GOES MUCH FURTHER AND IN PARTICULAR LET ME JUST TELL YOU WHILE POLITICIANS WERE ON THE PHONE YESTERDAY TO THE COURIER MAIL AND OTHER PEOPLE, NORM ALFORD WAS AT THE COMMISSION, I WAS THERE TOO AND OTHERS, QUITE A NUMBER OF PEOPLE, HEARING EVIDENCE FROM A POLICEMAN ABOUT VARIOUS OPERATIONS OF THE QUEENSLAND POLICE, ONE OF WHICH RESULTED IN THE SEIZURE OF A FILM, AND THAT FILM WAS DESCRIBED TO US, IT'S WHAT YOU CALL A SNUFF FILM, IT WAS OF A CHILD BEING HELD OUT BETWEEN TWO BOXES, SODOMISED, AND THEN DISEMBOWELLED AND OTHER THINGS HAPPENING ON FILM. THAT FILM WAS SELLING IN BRISBANE FOR \$500. LET ME TELL YOU, POLICE SUSPECT IT WAS DONE ON THE BANKS OF THE BRISBANE RIVER AT PINKENBA. NOW THAT INVESTIGATION IDENTIFIES A RING OF PAEDOPHILES, NO ACTION WAS TAKEN, INVESTIGATION ABORTED. ANOTHER GROUP THEY LOOKED AT WAS ANOTHER GROUP OF WEALTHY PEOPLE ALONG THE COAST OF BRISBANE WHO BROUGHT IN SMALL FILIPINO BOYS, SHARED THEM ALONG THE COAST AND ON ONE OCCASION UNDER POLICE NOTICE ONE OF THE BOYS, THEY BROUGHT THEM IN FOR A MONTH, ONE OF THE BOYS WAS THEN PUT BACK ON THE PLANE SO DAMAGED THAT WEARING TAMPONS AND I'M BEING A BIT GRAPHIC, BUT THAT'S THE REALITY WHAT'S BEEN GOING ON IN QUEENSLAND. THAT INVESTIGATION TOO WAS ABORTED.

REYNOLDS: AND ARE THESE INVESTIGATIONS BEING STOPPED BECAUSE OF INCOMPETENCE OR CORRUPTION.

BOTTOM: I WOULD HAVE TO SAY, I'VE SAID ON YOUR PROGRAM AND I THINK THE KEY IS NOT NECESSARILY PAYMENT OR ANYTHING, INACTION IN THIS FIELD CAN AMOUNT TO PROTECTION, NOW THERE IS A MYSTERY OF WHY ANYONE, WHENEVER ANYONE SEEKS TO DO ANYTHING THE PEOPLE WHO COME OUT OF THE WOODWORK TO STOP IT, AND I GO BACK TO THIS DIRTY TRICKS CAMPAIGN, AND LATER THIS WEEK I'LL BE DOING MORE ABOUT THAT ON ANOTHER FRONT, BUT THE FACT IS WHEN YOU LOOK IN HINDSIGHT

PEOPLE TALK ABOUT FITZGERALD AND HOW IT CAME ABOUT, BUT THE FACT IS DES STURGESS WHEN HE LAST LOOKED AT THIS THE LINGERING SCANDAL OF QUEENSLAND IS NOT MUCH EVER HAPPENED, BUT HE WAS DENIGRATED EXACTLY THE SAME WAY THEY'RE NOW SEEKING TO DO NORM ALFORD, THIS TIME THEY COULDN'T WAIT.

REYNOLDS: AND THIS IS DO YOU THINK TO UNDERMINE HIS REPORT?

BOTTOM: I'VE GOT NO DOUBT AT ALL, BUT A LOT OF IT IS OF COURSE POLITICS, BASE POLITICS OF AMBITIOUS MEN, THE PEOPLE INVOLVED ARE NOT NECESSARILY SINISTER IN THE SENSE THAT ONE MIGHT IMAGINE, BUT ARE PREPARED TO USE POLITICS FOR BATTLE FOR POWER AND CONTROL AND OBLITERATE A REPORT AND AN OPERATION OF THIS NATURE FOR THE GROSSEST POLITICAL ADVANTAGE. WHAT WE'RE ON TO NOW AND WHAT WE ALREADY KNOW, WE'VE HAD ACCESS, WE'VE DONE A REVIEW FOR THIS REPORT, THE PARLIAMENT WILL SEE IT. THAT DOES NOT INCLUDE THE INTELLIGENCE WE'VE GOT FROM AGENCIES ALL OVER AUSTRALIA. WE KNOW THE NAMES AND WHAT NOT AND I CAN TELL YOU SOME OF THE NAMES WE KNOW ARE CERTAINLY NOT BEING TARGETED IN QUEENSLAND EVEN TODAY. LOOK THERE'S A BIG SHUFFLE GOING ON, LET'S PUT THE CARDS ON THE TABLE, IN THE PARLIAMENT THERE'S A VOTE TOMORROW ON MATTERS WHICH ARE IRRELEVANT TO THE CHILDREN'S COMMISSION, INDEED I'D PREFER TO SEE THE ALFORD REPORT DELAYED FOR A DAY TO KEEP IT AWAY FROM THE POLITICS. AS IT MAY THERE'S A SHUFFLING GOING ON, THERE IS STAKEHOLDERS LIKE THE CJC AND POLICE BRIEFING POLITICIANS ABOUT WHAT THEY WANT, WHERE THEY WANT THIS REPORT TO GO AND CERTAIN INQUIRIES AND EVEN A SUGGESTION TO SET UP A CERTAIN INQUIRY TO DO ME OVER, BUT IT'S ABOUT TIME SOMEONE TOOK ACTION AND LEFT THE POLITICS OUT. IF LIZ CUNNINGHAM OR SOMEONE WAS SMART WHAT THEY OUGHT TO DO IS MARCH INTO THE PARLIAMENT TOMORROW AND MOVE A MOTION TO SET UP A CHILDREN'S COMMITTEE, IT WAS MOOTED SOME MONTHS AGO THAT THE PARLIAMENT MAY HAVE A CHILDREN'S COMMITTEE A BIT LIKE THE PCJC, TO WORK IN CONJUNCTION WITH THE CHILDREN'S COMMISSION. IF ANYONE, OF COURSE IT MAY NOT SUIT THEIR POLITICS, BUT IF THEY WERE TO SET UP A CHILDREN'S COMMITTEE, LET'S LEAVE IT TO THE POLITICIANS, MAKE THEM ACCOUNTABLE, THEY'VE GOT ROYAL COMMISSION POWER

THEY COULD BE UP AND RUNNING IN A DAY AND LOOKING AT THIS SORT OF MATERIAL. WHY FLOG THIS SETTING UP, THERE NEEDS TO BE A PROPER BODY, BUT IN THE CLIMATE THAT IS PREVAILING IN BRISBANE THIS WEEK I THINK THE PEOPLE ARE THE PEOPLE WHO OUGHT TO EXERCISE THE POWER, MAKE THE POLITICIANS DO THE JOB, IF THEY DON'T, THROW THEM OUT.

REYNOLDS: ALRIGHT JUST BEFORE WE CLOSE, WHAT ABOUT THESE ALLEGATIONS FROM LORRAINE BIRD, HAVE YOU HEARD ANYTHING?

BOTTOM: LORRAINE IS COMING IN TODAY AND SHE EPITOMISES THE ASSISTANCE THE COMMISSION HAS GOT. WE HAVE RECEIVED INFORMATION FROM PEOPLE UP TO THE HIGHEST LEVEL LIKE POLITICAL LEADERS OF THE STATE, ALL POLITICAL PARTIES HAVE BEEN COMING IN TO THAT PARTY, MORE IS COMING TODAY, OTHERS HAVE BEEN IN, WE ARE REACTING SOME POLICE INVESTIGATIONS ON BEHALF OF POLITICIANS, IT'S A BIPARTISAN UNIQUE BODY, IT SHOULD HAVE REMAINED THAT WAY AND ONCE THE DIRTY TRICKS BEGAN LIKE A WEEK AGO AND NOW ACCENTUATED YESTERDAY I DON'T THINK PEOPLE LIKE MYSELF ARE GOING TO STAND BY AND I TELL YOU WHAT, I DON'T THINK THE PEOPLE WILL. I MEAN IF SOMEONE MADE A CALL FOR PEOPLE TO MARCH ON PARLIAMENT TOMORROW THEY'D FILL UP GEORGE STREET.

REYNOLDS: ALRIGHT MR BOTTOM THANKYOU VERY MUCH FOR YOUR TIME. BOB BOTTOM WHO'S WORKING WITH NORM ALFORD THE CHILDREN'S COMMISSIONER AND HAS BEEN APPOINTED THE GOVERNMENT'S CRIME ADVISOR.

ENDS.

*Subbed by the Premier during
a. Mrs Lennett's absence*
28/5/03

③

DIARY OF ①
OPPOSITION
LEADER PETER
BEATTIE

MONDAY, 18 AUGUST

(Note: Liddy Clark relieving at Albert Street Offices this week)

(Note: Henry Palaszczuk representing Peter at Vietnam Veterans' day at Goodna RSL)

8.15am Tactics meeting Jim, Terry, Bob, Paul Braddy, Rob, Steve, Ken, Paul, John, Bill. Note: Mike Kaiser attending this meeting (Peter is going to be at Shailer Park State School at 9.00am today for Book Week)

LEVEL 6 CONFERENCE ROOM, PARL. ANNEXE

8.30am Leave office to drive to Shailer Park

9.00-10.30am Book Week activity at Shailer Park State School. Peter arranged this with Marion McMahon, Principal of the school

9.00am School Assembly. Principal, Marion McMahon will introduce you

9.30am Visit the library and read to two classes of year 7 children - one at 9.30 and the other at 10.00am (Melissa)

**SHAILER PARK STATE SCHOOL, BULWARNA STREET,
SHAILER PARK. PHONE: 3209 7200**

2

10.30am
Annexe

Leave Shailer Park State School to return to Parliamentary

11.00am

Lorraine Bird

2.30pm

Pre-Caucus Briefing with Gordon Nuttall and Stephen Robertson

3.00pm

Caucus
LEVEL 6 CONFERENCE ROOM, PARLIAMENTARY ANNEXE

4.30-5.30pm

Briefing on Tax Reform and Industry by Therese Charles, Senior Adviser, Australian Chamber of Commerce and Industry in Canberra. Attending: Steve Bredhauer, David Hamill, Shaun and Jenny.
Apology from Dean Wells and Lorraine Bird
LEVEL 6 CONFERENCE ROOM, PARL. ANNEXE

5.30-6.00pm

Meeting with Jim, Rob, Steve, Ken, Payul, John, Bill - re questions for Parliament
LEVEL 6 CONFERENCE ROOM, PARL. ANNEXE

6.30pm

A.G.M. of Brisbane Central EEC meeting
ELECTORATE OFFICE

Tabled by the Premier

(4)

[Signature]
28/5/03

18th August, 1997

Mrs. Liz Cunningham, MLA
Member for Gladstone,
Parliament House,
BRISBANE 4000

Dear Mrs. Cunningham,

The allegations in relation to paedophilia which have arisen in the public arena over the past week, and the pending tabling of the Report by the Children's Commissioner, are of such a serious nature that I believe they warrant the utmost priority and care by all Members of the Parliament in reaching a conclusion of how they should be dealt with.

I believe that all Queenslanders would find much of what we have been hearing abhorrent, and deserving of urgent and comprehensive action by all those in position of authority and responsibility.

The Opposition has been briefed by the Children's Commissioner, and early this morning received a copy of his Report.

It has been suggested that the Government will seek to table the Report tomorrow, and as you would be aware, given that the Government has not met the conditions outlined by Shadow Cabinet in relation to the Supreme Court's ruling on the Connolly/Ryan Inquiry, and its ramifications, the Opposition believes it has no option left but to move a motion of No Confidence in the Government when Parliament sits tomorrow morning.

I believe that the issues we are dealing with in the Connolly/Ryan matter are not entirely divorced from the issues the community faces in relation to the allegations of paedophilia in that both involve corruption, and impropriety, at the highest levels.

I wanted to communicate with you because I would be concerned that the vital issues emanating from the Children's Commissioner's Report maybe somewhat overshadowed by other matters that might occur in the Parliament tomorrow. I was therefore attracted by the public comments by Mr. Bob Bottom who suggested that the Report be tabled on Wednesday.

Whilst obviously this is a matter largely for the Government to determine, the Opposition would certainly be supportive of holding the tabling of this Report until Wednesday in order to maximise the impact.

In answer to questions at my media conference today, I have indicated on behalf of the Opposition, that we are committed to ensuring a proper detailed Inquiry into all allegations involving paedophilia.

I further indicated that I saw three options available in this regard. The first is to establish a Crime Commission, a matter which I flagged some years ago, and for which I still have strong support.

The recent events in Queensland indicate that it is just as necessary now as it was in the 1980s for such a Commission with broad powers. However, I recognise that it would take some time to establish a Crime Commission, and the paedophilia allegations are deserving of an immediate response by way of investigation.

The options therefore are for a Royal Commission, or alternatively, for the Carter Inquiry to be given responsibility to investigate such matters, and be provided with additional powers and Terms of Reference accordingly.

I suspect that the Royal Commission proposal is the one that should be adopted, and would support the establishment of it as a matter of urgency.

I can give you an assurance that Labor either in Government after an election, or in Opposition, would give strong support to the establishment of a Royal Commission into these allegations.

You might be aware that the Shadow Minister for Public Works and Administrative Services, Mrs. Lorraine Bird MLA, has today provided some material to the Children's Commissioner on allegations and complaints she has received in the Whitsunday's region of the State. A copy of Mrs. Bird's media release is attached for your information.

I reiterate my strong personal commitment and that of the Opposition to ensuring that all of these allegations receive immediate and comprehensive investigation, and that the action taken by Government in this State once and for all rids us not only of evidence of paedophilia, but moreover, of corruption and impropriety, at the highest levels of our public institution.

Naturally if you would like to talk further about how we can deal with this issue, I would welcome the opportunity.

With best wishes.

Yours sincerely,

PETER BEATTIE, MLA
LEADER OF THE OPPOSITION.

*Tabled by the Premier
of 28/5/03*

5

19 August 1997

Investigating paedophilia claims more important than politics

Fully and openly investigating claims of paedophilia networks in Queensland is far more important than any political considerations, Shadow Public Works and Administrative Minister Lorraine Bird said today.

Mrs Bird, who is also the Member for Whitsunday, said she was amazed at Premier Rob Borbidge's strident attack on her in Parliament after she referred information to the Children's Commissioner about paedophilia rings in the Whitsunday area.

"Mr Borbidge seems more concerned with scoring cheap political points than the effects of paedophilia on the lives of young Queenslanders," she said.

"Mr Borbidge can masquerade as the saviour of the tourism industry but he has failed to take any concrete steps to investigate paedophilia in Queensland based on, not only my claims, but those by the Children's Commissioner Norm Alford and government adviser Bob Bottom.

"The Opposition's support for the tourism industry is beyond question and Opposition Leader Peter Beattie has assured me that the industry will receive every assistance possible from a future Labor Government," she said.

"However, paedophilia is an issue which strikes at the heart of our society and I do not want it swept aside because of some base political considerations.

"As a woman and a mother, I felt it was an issue that needed to be addressed now before any more children suffered from this despicable and abhorrent crime.

"The Premier seemed to take some pleasure in the fact that this issue may cause me political damage in Whitsunday.

"Stamping out paedophilia is too big an issue to be worried about scoring political points. It goes way beyond tourism or politics and I could not live with myself if I sat idly by and allowed these claims to be ignored.

"I have spoken with the Mr Alford and Mr Bottom and they have taken my claims very seriously.

"It is a pity that Mr Borbidge does not share that same concern about this shocking and sickening crime."

Contact: Lorraine Bird on 0419 744 283.

*Added by me
Premier**28/5/03**Attention
Steve Bishop***COURIER-MAIL**

Edition 2 - FIRST WITH THE NEWSWED 20 AUG 1997, Page 004

Borbidge blasts MP over child sex claims**By MADIGAN M**

Source: QNP

WHITSUNDAY tourism operators will hold a crisis meeting with Premier Rob Borbidge in a bid to counter fallout from allegations that a paedophilia network is operating on Island resorts.

In Parliament yesterday, Mr Borbidge attacked the Labor Member for Whitsunday, **Lorraine Bird**, who made the allegations on Monday.

Mr Borbidge said tourism operators had contacted his office and wanted a meeting with the aim of addressing the damage caused by the comments.

He said he could understand their feelings of betrayal.

"They want to see what can be done to address the damage, the economic damage to her electorate and to businesses in her electorate as a result of the outrageous comments that you made yesterday," Mr Borbidge told Mrs Bird.

"I saw you on the evening news; I know what you said. You said paedophilia can be accessed through any resort, all the resorts.

"What a disgraceful exhibition in terms of your own electorate."

Mr Borbidge said the Coalition had just engaged the Queensland Tourist and Travel Corporation in a promotional campaign to try to address a downturn in the area.

"And it's been having some effect," he said.

Mr Borbidge said Mrs Bird had known about the allegations for years but had not done anything.

Mrs Bird said she was amazed at the Premier's "strident attack".

"Mr Borbidge can masquerade as the saviour of the tourism industry but he has failed to take any concrete steps to investigate paedophilia in Queensland based on, not only my claims, but those by the Children's Commissioner Norm Alford and government adviser Bob Bottom," she said.

As a woman and a mother, she said she believed the issue should be addressed before more children suffered from the "despicable and abhorrent crime".

Opposition Leader Peter Beattie accused Mr Borbidge of gaining political mileage from serious paedophilia allegations.

"How low do you go in this business?" he asked.

— MICHAEL MADIGAN

Library Heading: NORTH QUEENSLAND

RESORTS AND TRAVEL

STATE GOVERNMENT QLD

PAEDOPHILES

Keywords: CHILDREN'S COMMISSION REPORT

PAEDOPHILES

BIOG: BIRD LORRAINE

BORBIDGE ROB Section: NEWS Type: FEATURE / ALFORD REPORT 87

© News Limited. All rights reserved. You may read this article on-screen or print it once for your own personal use. You may not make further copies, forward it by email, post it on an Internet or Intranet site or make any other use of it without written permission from us at newstext@newsld.com.au

[Print](#)

Tabled by the Premier

[Signature] 28/5/03
⑦

20 August 1997

Bird won't be gagged by Premier over paedophilia

Member for Whitsunday Lorraine Bird said she will not be intimidated or gagged by the Premier Rob Borbidge over paedophilia.

"The Premier can play all the political games he likes but I'm purely motivated by my concerns for the kids and young adults who have been scarred for life by these low-lives," Mrs Bird said.

"All I've ever wanted is for these allegations to be properly and fully investigated.

"All mums, all dads, all parents would agree that I'm doing the right thing. My conscience is clean and I could not live with myself if I let this matter drop.

"A Royal Commission is the only way to go. It has the necessary powers to protect people who come forward and can fully investigate these allegations.

"The Premier has continually walked away from a royal commission and he has not explained why.

"There have been allegations of police cover-ups and extensive paedophilia rings which can not go unanswered.

"The Premier must restore public confidence in the police service and this can only be done with a royal commission.

"He can play politics with tourist operators in the Whitsundays but it does nothing about the paedophilia problem in Queensland which has been exposed in the Children's Commissioner report.

"It is ironic that the Premier has avoided going to Bowen for months to fix the chronic employment problems there but it has only taken 48 hours to arrange a meeting with tourist operators.

"I leave it to people to decide for themselves where Mr Borbidge's priorities are."

Contact: Lorraine Bird on 0419 744 283.

Tabled by the Premier

23/5/03

⑤

Justice Act or the functions, powers and operations of the CJC. In May this year the PCJC tabled report No. 38 making numerous recommendations to enhance the accountability of the CJC to the PCJC. Building on this report, the PCJC will immediately proceed with its three-year review. The PCJC will be calling for public submissions on relevant issues during the review. No public hearings will be held. The PCJC has resolved to aim to complete the three-year review by the end of the year.

NOTICES OF MOTION

No Confidence in Attorney-General and Minister for Justice

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.12 a.m.): I give notice that I shall move—

"That this House has no confidence in the Attorney-General and Minister for Justice, Mr Beanland, and calls on the Premier to dismiss him."

Attorney-General and Minister for Justice

Mrs CUNNINGHAM (Gladstone) (10.12 a.m.): I give notice that I shall move—

"That this Parliament objects to the actions of the Attorney-General for failing to take note of concerns expressed about the selection of suitable commissioners to undertake a review of the efficiency of the Criminal Justice Commission, which has resulted in this commission of inquiry being brought into disrepute."

Minister for Transport

Mr ROBERTSON (Sunnybank) (10.13 a.m.): I give notice that I shall move—

"That this House condemns the Minister for Transport and Main Roads for ignoring the legitimate concerns of south side residents by yesterday failing to rule out the construction of a freight rail line through southern suburbs to the port of Brisbane and for delaying the study into the freight rail link until after the next State election, thereby avoiding public scrutiny and accountability to the community in a blatant attempt to prop up members of the Government who show such contempt for concerned residents that they describe them as 'ratbags' and 'stirrers'."

PRIVATE MEMBERS' STATEMENTS

Paedophilia in Whitsunday Electorate

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.13 a.m.): The Premier has attacked the member for Whitsunday for demanding action on paedophilia in her electorate, and yet the Children's Commissioner has independent evidence of paedophilia in the Whitsundays and said on Channel 10 last night that she was courageous. He said—

"Mrs Bird, I think, was very courageous yesterday. You might be interested to know that this morning I have had a visit from one of the victims of the alleged paedophile ring."

That brings me to this question: why does the Premier want Mrs Bird shut up, and why does the Premier want to gag Mrs Bird? All decent Queenslanders would have applauded what Mrs Bird did. Today the Premier has invited some National and Liberal Party mates from Whitsunday down to Brisbane to protest against the efforts by Mrs Bird, the member for Whitsunday, to protect children. That group includes the likely candidate against Mrs Bird, David Hutchins. What we have is a Government that wants to gain a political advantage from this vile, evil crime against children.

One has to ask: why are the Premier and the Tourism Minister opposed to Mrs Bird coming forward with appropriate evidence to the appropriate authorities? What is wrong with that? Why is the Government seeking to try to intimidate her, gag her and prevent her coming forward with evidence? Are they suggesting that she should have been part of some cover-up? Are they suggesting that she should have hidden this material? I simply say this: Mrs Bird has stood up for the children in her electorate. I appeal to the mothers and the fathers in Whitsunday to stand by their local member, Mrs Bird, for doing what was the courageous and correct thing to do. Whose side will the mums and dads in Whitsunday be on? They will be on Mrs Bird's side, because they will put children ahead of the economic rationalist nonsense from the Premier.

Time expired.

Black Sigatoka Outbreak

Mr ROWELL (Hinchinbrook) (10.15 a.m.): On 6 June 1997 the exotic fungal disease black sigatoka was positively identified on the Alexandra Farm's banana plantation at Daintree. The Department of Primary Industries immediately placed the farm under

Tabled by the Premier

25/5/03

9

3006

Questions Without Notice

20 Aug 1997

Mr TANTI: Ten. \$4.45m will be spent on the construction of the new hospital at Palm Island, \$512,000 has been provided for the rural health training unit and \$275,000 for ATSI health services.

An economic impact study is currently being conducted by Coopers and Lybrand to evaluate the best possible site for the redevelopment of the hospital. The results of that study are due in the next few weeks. This is evidence of the coalition Government's immense commitment to the Townsville area. As a vital member of the coalition Cabinet, the Honourable Minister listens to the community, unlike the former Labor Health Minister—alias the flim-flam man—who stated before he even set foot in Townsville that the best option was for the hospital to remain at Kirwan. The boost in health services provided in the Townsville region will mean that the Townsville community will have access to some of the best health-care services and facilities.

QUESTIONS WITHOUT NOTICE

Paedophilia; Comments by Member for Whitsunday

Mr BEATTIE (10.30 a.m.): I ask the Premier: now that his own Children's Commissioner has publicly congratulated the member for Whitsunday on her courage in bringing forward allegations of organised paedophilia in north Queensland and, further, that he has revealed that he has already spoken at length to the mother of one of the alleged Whitsunday victims who has substantiated the member for Whitsunday's claims, I ask: when is the Premier going to stop his grubby political attacks on the member for Whitsunday in the hope of winning her seat and treat her allegations with the seriousness that they deserve by ordering a royal commission into these sickening crimes against children?

Mr BORBIDGE: I welcome the opportunity to reply to the Leader of the Opposition. I believe that the Leader of the Opposition is putting an interesting interpretation on the comments made by the member for Whitsunday. The comments that I heard from the member for Whitsunday were of widespread paedophilia in respect of all the resorts—all the islands and all the resorts. The honourable member for Whitsunday engaged in a blanket smear in respect of her electorate.

I have no problem with the member for Whitsunday or anyone else taking a complaint to the Children's Commissioner. However, I would ask one question. These particular

concerns of the honourable member apparently dated back to the early 1990s. What happened in 1991, 1992, 1993, 1994 and 1995, when the member for Whitsunday said that she was in possession of this information? What did she do? According to a TV interview the other night, she took the complaint to Peter Beattie. Apparently, the member for Whitsunday had a memory lapse for a few years. It was not so much a problem during the bulk of the Labor years. For any member in this place to engage in a blanket smear against all the tourist operators in his or her electorate is a disgrace, and that is what the member did.

If the honourable member or anyone else wants to take a specific complaint to the police or the Children's Commissioner, that is his or her business. However, I heard members—not National Party hacks, as the Leader of the Opposition and the Deputy Leader of the Opposition would suggest—of the local tourism bureau saying last night that they felt that the honourable member's comments could have done as much damage to the Whitsundays as a cyclone—a natural disaster.

Mr Elder interjected.

Mr SPEAKER: Order! The member for Capalabal

Mr BORBIDGE: Yesterday, the member for Whitsunday did not say that she had one specific complaint that she was going to take to the Children's Commissioner. She used a smear against every tourist operator in the Whitsundays—a smear against every island resort. The difference is that, under this Government, she had someone to go to. She has the Children's Commissioner, who was appointed during the life of this Government. This morning, the Minister for Police detailed initiatives being taken in that regard.

In respect of a crime commission, which has been suggested by Mr Bottom, who is now working for the Government—he did not work for members opposite, who did nothing about this issue for six or seven years—Mr Bottom has certain views in regard to a crime commission, as do other honourable members in this place. Certainly I believe that the proposal for a crime commission has some merit, and it will be given every consideration by the Government in terms of the review of the Criminal Justice Commission.

Opposition members interjected.

Mr BORBIDGE: These are the people who have been arguing against inquiries. These are the people who have been saying that inquiries have been a waste of money. I

Tabled by the Premier

10

28/5/03

20 Aug 1997

Questions Without Notice

3007

make the observation that the people of Queensland do not want inquiries, they want prosecutions; they want action taken. This Government has done more on the issue of paedophilia than the Labor Party did in the six years that it was in Government, when the member for Whitsunday was at one stage deputy chairman. I understand, of the Parliamentary Criminal Justice Committee—

Mrs Bird: No, no.

Mr BORBIDGE: The member for Whitsunday was at least a member of the Parliamentary Criminal Justice Committee, and she sat on her hands and did absolutely nothing.

Mr SPEAKER: Order! I call the honourable Leader of the Opposition.

Mrs Bird interjected.

Mr SPEAKER: Order! The member for Whitsunday will withdraw that remark. It is unparliamentary.

Mrs BIRD: I withdraw the remark that the Premier is a liar.

Mr SPEAKER: Order! The member will resume her seat. I call the honourable Leader of the Opposition.

Paedophilia

Mr BEATTIE: My second question is also directed to the Premier. I refer to revelations by the Children's Commissioner that there is strong evidence that a child was sexually assaulted and then murdered during the making of a so-called snuff movie in Brisbane. I also note Mr Alford's public acknowledgment that allegations have been made that judges, high-profile public figures and politicians may be involved in organised paedophile rings in Queensland. On behalf of all Queenslanders who are horrified by these claims, I ask: how can the Premier do anything but order a royal commission to investigate these outrageous allegations?

Mr BORBIDGE: As was pointed out on several occasions yesterday, the Children's Commissioner has full authority to refer to the Criminal Justice Commission or to the police any allegations requiring investigation. Obviously, these allegations are particularly serious, and I would expect the police and the Criminal Justice Commission to be giving all possible priority—

Mr Elder: "The Joke" is back; it's you.

Mr BORBIDGE: Is the member calling the CJC a joke now? Is he calling Jim O'Sullivan a joke? Let us just get this on the record. The

Children's Commissioner can refer these matters to Mr Clair or the Police Commissioner.

Mr Fouras interjected.

Mr SPEAKER: Order! The member for Ashgrove!

Mr BORBIDGE: If the Deputy Leader of the Opposition is saying that he considers either gentleman to be a joke, then I would suggest that that is an absolutely ludicrous proposition.

Mr ELDER: I rise to a point of order. The implication is that I have called them a joke. I find that offensive and ask that it be withdrawn. I called the Premier a joke. He is "The Joke".

Mr SPEAKER: Order! There is no point of order. The member will resume his seat.

Queensland Economy

Mr SPRINGBORG: I refer the Premier to the claim in today's Courier-Mail's editorial comment that political instability is harming the Queensland economy, and to other recent published material in the Courier-Mail and other media that runs directly counter to this assertion, and I ask: what are the latest points of interest in the high-performance Queensland economy from the perspective of leading analysts?

Mr BORBIDGE: I was a little surprised this morning to read certain comments in the editorial of the Courier-Mail that—

"... the state slowed to a crawl as nervous business leaders threw the economy into neutral.

...

The reality, as measured by any number of indicators, is that business has reacted badly to a period of political instability and loose talk of election.

...

Labor also has a responsibility to ensure that the fragile and somewhat sluggish economy of the state is not damaged further by unnecessary and destabilising no-confidence motions."

I also find it interesting that, in the Courier-Mail of the same day, we have a news report headed "Old to star in nation's economic comeback", which states—

"Accelerated economic growth would boost the number of jobs across Australia with Queensland leading the way through a starring performance in business,

*Submitted by the Premier**[Signature]**28/5/03**11***COURIER-MAIL**

Edition 2 - FIRST WITH THE NEWSTHU 21 AUG 1997, Page 002

Whitsunday tourism operators hit back**By MADIGAN M**

Source: QNP

WHITSUNDAY tourism operators are threatening legal action against Labor frontbencher Lorraine Bird, who has alleged that paedophiles operate on tourist islands. Assistant Police Commissioner Graham Williams told tourism operators who flew to Brisbane yesterday for a crisis meeting with Premier Rob Borbidge "the Whitsundays is one of the cleanest areas in the state".

Mrs Bird, the Member for Whitsunday, refused to back down from allegations that paedophiles operated on island resorts.

She said allegations of police cover-ups and extensive paedophilia rings could not go unanswered.

Joining Mrs Bird at a press conference at Parliament House in Brisbane yesterday was a victim of paedophilia, Blake Rogers, 27, who said the man who molested him had occasionally operated in the Whitsunday region.

But Whitsunday Visitors Bureau Roger Powell said he was comfortable that the area was not a centre for paedophilia.

He said operators were seeking legal advice about action they could take to protect themselves.

Mr Powell said Mrs Bird had said paedophilia happened on all the resorts.

"The operators would strenuously deny that," he said.

He was not sure what form the legal action would take, but several operators were talking with lawyers.

"They feel that a slur has been made not only against businesses but against them personally," Mr Powell said.

Mrs Bird said her conscience would not have been clear if she had not made the allegations.

Mr Rogers said he was a victim of a paedophile who allegedly had operated along the east coast, including the Whitsunday area.

Mr Rogers said he supported Mrs Bird's demands for a full investigation into paedophilia, including a royal commission.

He said children needed to know they had support in order for them to feel comfortable about coming forward.

Mrs Bird said Mr Borbidge had to restore public confidence in the police service by allowing a royal commission.

"A royal commission has the necessary powers to protect people who come forward and can fully investigate these allegations," she said.

Mr Borbidge has attacked Mrs Bird for putting the area's valuable tourism industry at risk.

He asked why she had not raised the allegations sooner when she had known about them for years.

Opposition Leader Peter Beattie said Mrs Bird had been attacked unfairly for standing up for children.

Caption: BARING the scars ... paedophilia victim Blake Rogers with Member for Whitsunday Lorraine Bird at a press conference at Parliament House in Brisbane yesterday. Mrs Bird has called for a royal commission into paedophilia

Library Heading: RESORTS AND TRAVEL

PAEDOPHILES

CRUELTY CHILDREN

INQUIRIES

TOURISM

STATE GOVERNMENT QLD

Keywords: CHILDREN'S COMMISSION REPORT

PAEDOPHILES

BIOG: ROGERS BLAKE; BIRD LORRAINE **Section:** NEWS **Type:** FEATURE / PAEDOPHILE DEBATE

97

© News Limited. All rights reserved. You may read this article on-screen or print it once for your own personal use. You may not make further copies, forward it by email, post it on an internet or intranet site or make any other use of it without written permission from us at newstext@newsld.com.au

Print

Tabled by the Premier

25/5/03

(12)

21 Aug 1997

Sub Judice Convention

3091

tabling this document as it believes that it is in the spirit of the Criminal Justice Act that all non-confidential publications by the CJC be tabled in the Parliament. However, the committee stresses that it has in no way conducted an inquiry into the matters the subject of this publication and that it is the CJC which has determined that this publication is not a report of the commission for the purposes of section 26 of the Criminal Justice Act.

NOTICE OF MOTION

Paedophilia

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.09 a.m.): I give notice that I will move—

"That this House—

- (a) expresses its grave concern at the prevalence of all forms of child abuse in our community;
- (b) acknowledges the report of the Queensland Children's Commissioner which reveals the inability of a range of Government agencies to deal effectively with allegations of paedophilia over two decades; and
- (c) calls on the Government to establish a commission of inquiry under the Commissions of Inquiry Act 1950 to—
 - (i) investigate thoroughly the incidence of paedophilia, having regard to material held by the Queensland Children's Commission, the Queensland Police, the Criminal Justice Commission and any other body or individual; and
 - (ii) report to the Parliament regarding long term legislative mechanisms, programs and policy measures to address the problem of paedophilia in the future."

SUB JUDICE CONVENTION

Members' Ethics and Parliamentary Privileges Committee Report

Ms WARWICK (Barron River) (10.10 a.m.): I move—

"That this House takes note of the Members' Ethics and Parliamentary Privileges Committee Report No. 7."

I welcome the opportunity to debate this report on the sub judice convention. It gives me great pleasure to debate it, and I would like to place on record my thanks to the members of the committee. It is a fairly difficult committee. We have a lot of sensitive and contentious issues to deal with. I must say that at all times the committee has been bipartisan, hard working and committed, and I thank the members of the committee for that because it makes my job so much easier. All of our reports so far have been unanimous, which is another matter of which I am very proud, and, again, I think that is because of the calibre of the people serving on the committee.

As was said in the foreword of the report, this review forms part of the committee's wider inquiry into parliamentary privilege. That will be the subject of a separate report to the Parliament. The sub judice convention in Queensland was last reviewed in 1976 by the former Select Committee of Privileges. Since that time, a much more active parliamentary committee system has been in place, so we therefore made recommendations that would deal with procedures that should be put in place to look after the interests of the committees in the discharge of their responsibilities. We have also made some recommendations about the application of the sub judice convention in the House and in committee proceedings to matters that have been under consideration by royal commissions of inquiry and similar bodies.

In debating this report, I would also like to place on record my thanks for the very hard work that was put in by the research director, Neil Laurie; Meg Hoban, the research assistant; and Maree Lane. We also had the services of the University of Queensland parliamentary intern, Miss Katherine Brumpton. That was very worth while.

The sub judice convention is a restriction on debate, and it is therefore a restriction upon the privileges of the Assembly and its members. In recent times, the judiciary and the media have taken a more relaxed attitude to the sub judice convention, and there is a lot of discussion outside about matters before the courts. In keeping with this relaxed attitude, we thought that members of Parliament should also be allowed to have that privilege. We also found that there are more restrictions in Queensland than in any other State. It is interesting to note, as somebody said in the submissions, that what is said in Parliament can probably have less effect on the outcome of proceedings than what is said by people in the media.

Tabled by the Premier
28/5/03

13

have been issued. I thank the member for Greenslopes for raising this important matter, because I know that many members' constituents are affected by this situation.

Paedophilia, Whitsunday Electorate

Mr ELDER: I direct a question to the Minister for Police. I refer to claims by police last night that preliminary investigations completed in just 48 hours found no evidence of organised paedophile activity in the Whitsunday region. I ask: is it not true that police based their conclusions solely on existing files and have not examined any new material presented to the Children's Commissioner, and did police also not emphatically deny any police involvement in organised drug trafficking in the Whitsundays until the Carter inquiry exposed those assurances as blatantly untrue and blatantly wrong?

Mr COOPER: As to the police investigation into paedophilia—I hasten to remind the member for Capalaba and all members of the House of my ministerial statement yesterday, in which I commented on the seriousness of this issue. Addressing the worry and concern about this issue in the community is paramount on our list of priorities.

The police have done their investigations, as the member said, into previous allegations of paedophilia, and they have made their statement accordingly. As to any other information that may have been referred to the Children's Commissioner—I believe the member for Whitsunday referred that material to the Children's Commissioner. The police have endeavoured to interview the member for Whitsunday, who declined. The police are now seeking that information from the Children's Commissioner in order to be able to evaluate and investigate the matter. The member for Whitsunday is fully aware of that fact. She has given information to the Children's Commissioner. That information is now being sought by the police for their investigation, which is the proper and correct procedure. They will do that, because that is the correct procedure.

Secondly, as we pointed out clearly yesterday, we have become very heavily involved in a strategy with the Children's Commissioner, Mr Norm Alford, and Mr Bob Bottom, who is attached to my office, and the Queensland Police Service. That strategy is to give police more powers and adequate tools to do the job that we want them to do in conjunction with other Government agencies,

be it the National Crime Authority, the Criminal Justice Commission, the Customs Service—any and all Federal or State agencies—so that we can attack this serious issue and secure some prosecutions. We believe the people out there want to see people who commit these types of offences nailed to the wall.

I believe that I have spelt this out clearly before, but I will do so again: often very serious but unsubstantiated allegations about paedophilia are made. People's reputations can be badly damaged, burnt and smeared. I believe that no-one in this place or outside would want to see people smeared and burnt when there is no basis to certain allegations. For that reason, not only do we have to be very determined to undertake this operation but we also have to be careful of people's reputations. Allegations could be made against anyone, and we should all be frightfully aware of that fact.

Proposed Mine, Moranbah

Mr MITCHELL: I refer the Minister for Mines and Energy to an article in the Central Queensland News of yesterday. Under the headline "Mine too close to Moranbah: Labor", the shadow Minister for Mines and Energy said that he had received representations from local councillors expressing their concerns that the proposed mining development was too close to the town of Moranbah and called on Shell "to re-examine its proposal with a view to developing the mine further out from the town". In the same article, the member for Fitzroy said that jobs were not an issue in this case. I ask: will the Minister advise the House on the practicalities of moving mineral resources to more convenient locations and on the member's attitude towards future job creation?

Mr GILMORE: I thank the member for the very close interest that he takes in the coal industry and for bringing this matter to my notice. For the information of the House, I point out that this issue arose because the Shell Corporation is looking at developing a new open-cut mine very close to the town of Moranbah.

An Opposition member interjected.

Mr GILMORE: This says "within metres". Yes, it is within 1,500 metres—1.5 kilometres—of the town. That is apparently very close, according to the honourable member for Fitzroy and the member for Mount Isa. This issue arose because at the last local government elections a new mayor was elected. I can understand his position. He is

that jobs are not an issue; quality of life is the issue.

Mr SPEAKER: Order! I call the Minister.

Mr GILMORE: "Jobs are not an issue". It has come from his mouth and is now in the Hansard record of this Parliament. I am pleased that he put it there, because it has just confirmed everything that I have been saying in this place. Jobs are not an issue; it is a lifestyle issue. Coalminers do not want to live near coalmines. For goodness' sake!

Between the honourable member for Mount Isa proposing to create jobs by shifting the resource to more convenient locations and the member for Fitzroy not wanting jobs in the mining industry, there appears to be some sort of conflict on the other side of the House.

Paedophilia

Ms BLIGH: I refer the Premier to media comments yesterday by the Children's Commissioner who said that he has been told that the inaction and deliberate cover-up by police of paedophile activities in Queensland is "still happening". As the Children's Commissioner has also publicly raised accusations that several judges may themselves be involved in paedophile activities, I ask: how can he have faith in anything less than a royal commission to expose and smash organised gangs of paedophiles when the Children's Commissioner casts doubt over whether we can trust the willingness of some police or judges to do the job?

Mr BORBRIDGE: I say to the honourable member that the Children's Commissioner can refer those particular allegations to the CJC. Whilst I am standing, I do want to read something into Hansard because it is of concern that the police this morning found it necessary to reissue a statement that was released at 4.30 p.m. yesterday. On the bottom it says—

"Note to editors/chiefs of staff: The release of this statement at approx 4.30pm yesterday seems to have been largely overlooked or ignored. In the interests of balance in stories we were hopeful that the important messages in this statement would attract some coverage. For those who did pick it up, well done on balance, for those who chose not to use a statement explaining the results of important investigation and briefing, we ask that you reconsider its inclusion in reports regarding this issue."

The statement is titled "Paedophile Allegations in Whitsunday Region; Police Statement". I will read it into the record. It states—

"Senior officers of the Queensland Police Service yesterday met with Premier Borbidge and Police Minister Cooper to brief them on a police response to allegations of organised, protected paedophile networks in the Whitsunday Region.

A preliminary investigation by specialist police and the Police Professional Standards Unit into the allegations resulted in assurances to the Premier that there is absolutely no evidence of contemporary organised paedophile activity in the region.

Matters raised in recent days appear to be based on accurate historical reports, many of which were investigated and dealt with while others were unable to be substantiated by fact.

In fact, only one major allegation was able to be investigated into one alleged paedophile (mentioned on ABC Radio this morning). He was being investigated at the time of his death in a road accident in Queensland in 1993. He had been the subject of extradition between Queensland and New South Wales to answer allegations of paedophile activity.

The preliminary investigation also revealed that historically, the Whitsunday Region had fewer reports of alleged paedophile activity than similar (tourist) areas of the State."

I might also read a transcript of comments made by the Police Commissioner on the Anna Reynolds program this morning. The transcript reads—

" 'Goodness me, the scuttlebutt, unfounded allegations, rumour, no substantiation in fact that is now widespread is really a drain on the resources of the Queensland Police Department. And of course people have their character smeared without any substantiation and all I ask is that people who make these allegations—that it's so widespread and that certain people in high authority are engaged in these things—come forward with the evidence. Don't be hopping into the media and making these allegations where there is no substantiation.'

Paraphrased question: Are you saying these are just wild allegations?"

The Police Commissioner said—

"I am. Well—take a look at the Whitsunday situation for instance. We have no evidence—no evidence—of any paedophile activities in that area at the moment. Sure, in days gone by there were problems there. Those people were arrested and charged and dealt with and I'm going back in the 1980's, this is. And there's no evidence now—there isn't even any suspicion."

The next question was—

"And that includes the material Lorraine Bird has?"

The Police Commissioner said—

"Yes."

They are not my words, they are the words of the Police Commissioner. So if Mrs Bird is criticising that, she is actually criticising the Police Commissioner. I understand that the matters referred to were cited by the police yesterday in a meeting with Mr Alford.

Mrs BIRD: I rise to a point of order. A few moments ago the Police Minister just clarified that the police had not seen the information until only this morning.

Mr BORBIDGE: They had sought it yesterday. A police officer had cited the material yesterday and the member for Whitsunday would not answer the questions of the police.

Mrs BIRD: I rise to a point of order. The police have not directed any questions to me.

Mr BORBIDGE: The member for Whitsunday refused to provide the information to the police.

Mrs BIRD: I rise to a point of order. The Premier is misleading the House. I did not have the information; the commissioner had it.

Mr BORBIDGE: My advice is that yesterday the member did not provide the information to the police.

Mrs BIRD: My advice to the Premier is that he tell the House why he is covering up.

Mr BORBIDGE: She has got even the Police Commissioner saying yes in this interview in response to the question, "And that includes the material Lorraine Bird has?"

Mrs Bird: Who are you protecting?

Mr BORBIDGE: Isn't it interesting that the honourable member made some allegations in 1991? Who was in Government in 1991, 1992, 1993, 1994 and 1995? I ask the member for Whitsunday: what did she do when she sat on the Parliamentary Criminal Justice Committee? Nothing! No wonder the tourism operators of the Whitsundays are

going to sue her. No wonder they are going to take legal action, because then, unlike her performance thus far, she will have to prove her claims in a court of law.

Charging of Fees for Public Nursing Home Places

Mr WOOLMER: I ask the Minister for Health to outline the State Government's position regarding the charging of compulsory entry fees to Queensland's 1,724 public nursing home places.

Mr HORAN: I thank the honourable member for his question. The Queensland Health Department operates and provides some 15% of the State's nursing home places. I am very pleased to tell the Parliament and the State that, following a Cabinet decision this week, we will not be charging accommodation bonds or entry fees to the public nursing home places in Queensland when the Commonwealth Aged Care Act commences at the beginning of October.

Many of the nursing homes that we operate throughout the State in the public system are in rural parts where there are no other nursing home facilities. We have nursing homes at places such as Charleville, Roma, Oakey, Dalby and even Charters Towers where the State nursing home is the only nursing home facility. For the elderly people in those regional towns and districts and in Brisbane who look to our nursing homes to provide good support and care in their latter years, I am certain that this will be a very welcome announcement. This comes on top of the massive amount of money that the Queensland State Government has put into the HACC program over the last two years. The State Government has injected some \$6.5m extra into that scheme in the past two Budgets.

As part of this whole process, by the year 2001 it will be necessary for all nursing homes, be they non-Government or Government, to be accredited as reaching certain Commonwealth Government standards. We have an ongoing commitment to ensure that our many nursing homes throughout the State reach those standards. Already we have the process well under way. For instance, we are completely rebuilding Eventide in Rockhampton, which was such an extremely old facility.

I think it is interesting to see just what the Queensland Government has been able to do, particularly for the elderly citizens of this State, without increasing fees, charges or taxes. In

Tabled by the Premier

(14)

[Signature]
28/5/03

21 August 1997

Bird disappointed in police response over paedophilia claims

Opposition front-bencher and Member for Whitsunday Lorraine Bird said she was disappointed in comments made by police regarding paedophilia claims.

The police released a statement yesterday which said, that based on preliminary investigations, there was "no evidence of contemporary organised paedophile activity in the (Whitsunday) region".

"It is disappointing that the police raced into print before they have even seen the documentation I have collected," she said.

"This material is in the hands of the Children's Commissioner and has yet to be sent to the police.

"The material includes notebooks filled with phone numbers and very detailed accounts from paedophilia victims.

"Yet within 48 hours since I revealed my information, the police can dismiss the claims without even looking at the material.

"Police have asked me for the material and I have pointed out that the Children's Commissioner has my files and it is up to him, under the legislation governing his actions, to pass these files over to the police.

"Surely it is more important for the Mums, Dads and children in Whitsunday that police fully investigate these claims rather than paper over them with talk about a 'preliminary investigations'."

Contact: Lorraine Bird on 0419 744 283.

Submitted by the Premier
28/5/03

15

convention states that a full day shall be allocated. This 55 minutes is sheer nonsense. We all need to allow ourselves to represent the wishes and views of our electorates. We have said that we are not going to divide the House. It is obvious that you, Mr Speaker, have had a change of heart since your first ruling on 31 October. We have an impasse here; we do not agree with your ruling, so I hope that through this process we find some solution to this in the future.

Motion negatived.

PAEDOPHILIA

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (4.27 p.m.): I move—

"That this House—

- (a) expresses its grave concern at the prevalence of all forms of child abuse in our community;
- (b) acknowledges the report of the Queensland Children's Commissioner which reveals the inability of a range of Government agencies to deal effectively with allegations of paedophilia over two decades; and
- (c) calls on the Government to establish a commission of inquiry under the Commissions of Inquiry Act 1950 to—
 - (i) investigate thoroughly the incidence of paedophilia, having regard to material held by the Queensland Children's Commission, the Queensland Police, the Criminal Justice Commission and any other body or individual; and
 - (ii) report to the Parliament regarding long term legislative mechanisms, programs and policy measures to address the problem of paedophilia in the future."

This motion in effect establishes a royal commission into paedophilia in Queensland. The reason I move this motion is very straightforward. Over the last few days we have had a series of serious allegations made about paedophilia rings and people involved in paedophilia. The community demands and expects politicians to provide some leadership to have these matters fully and properly investigated.

Let us look at the nature of some of these allegations. I refer to an interview that Norm Alford, the Children's Commissioner, did on the

Anna Reynolds program on 20 August when he was talking about some of the people involved. Anna Reynolds said—

"But are we talking about specific allegations against serving Queensland judges?"

The Children's Commissioner said—

"I've heard two or three names."

Anna Reynolds said—

"Two or three names?"

So the Children's Commissioner is talking about judges. In another part of the interview he was asked a question about former Ministers, and the Children's Commissioner said—

"Yes."

Anna Reynolds asked—

"Former Premiers?"

The Children's Commissioner replied—

"Now you're getting close ... no, no, not former Premiers."

The list goes on in terms of allegations of people who may well be involved in this activity. I believe that the allegations are so serious that they need to be fully and properly investigated. The only way to achieve that is through a royal commission.

I am not being exclusive about the State crime commission. I am not saying that it should not have a role to play. In fact, I was one of the first persons—if not the first—in Queensland to advocate the importance of a State crime commission. The problem we have here is this: it will take until April or May next year, that is 1998, to establish a State crime commission. These allegations are so serious—covering judges, senior politicians, the most senior people in the State—that they cannot wait until April or May next year to be the subject of an investigation. That is why we need to establish a royal commission now. And then, when that royal commission is completed, there is no reason why the ongoing responsibility for investigating organised paedophilia rings—if it remains—should not be left with the State crime commission, so that we have a combination of a royal commission now followed by an ongoing role for a State crime commission.

I have been on public record opposing the 208 inquiries that the Government has instituted. I am on public record opposing the fact that this Government has spent between \$32m and \$36m on needless and wasted inquiries, including the \$14.5m that was recently wasted on the Connolly/Ryan inquiry.

However, we are dealing with children here, and this is a matter that needs to be fully and properly investigated to protect our young people in this State. Innocent children need to be protected. Only through a royal commission can we get to the bottom of this matter, and only then will they be fully and properly protected.

I urge the Government, if this motion is carried, to adopt a bipartisan approach in relation to tackling paedophilia. I urge it to consult with the Opposition about who should be appointed to head such a royal commission. The Opposition would be happy to participate in the same spirit of bipartisanship as that which was around when Tony Fitzgerald was pursuing this issue some time ago. We need to put politics behind us. Everyone in this place needs to support a royal commission so that we are above politics and so that we put the children first.

The crux of the Opposition's argument is that, according to the Children's Commissioner, traditional policing methods have not deterred 300 paedophiles from operating in this State. If the traditional policing methods were working, those 300 paedophiles would not be operating here. Traditional policing methods are not protecting the 45,000 Queensland children who are likely to be seduced, assaulted and attacked by those 300 paedophiles. Traditional policing methods are not preventing one in every four girls and one in every 11 boys from having their innocence stolen forever. In other words, in an average school class in Queensland today of 12 girls and 12 boys, four of them will have suffered at the hands of a paedophile because traditional policing methods have not worked. According to the Children's Commissioner, traditional policing methods have resulted in an estimated 420,000 people living in Queensland today being scarred for life by those vile and evil men.

On page seven of the summary and recommendations of his report, the Children's Commissioner states that the traditional reactive police approaches to this problem are likely to have only limited success. He states—

"The acknowledged creativity of paedophiles in searching out, grooming and ingratiating themselves to their child victims again suggests the limited success likely to be achieved by essentially reactive approaches of law enforcement."

We must take note of the concerns of the Children's Commissioner that traditional methods of policing are unlikely to have much success in dealing with paedophilia. We must

take the sensible, logical decision to follow the successful example of New South Wales and hold a royal commission. There is no reason to believe that we should be any different from New South Wales in terms of the gravity of this problem. We will have the same sorts of problems, and we need the same sort of solution.

I understand that there are suggestions from the Government that it will be amending my motion to refer this issue to the police. I say to the Government that if it moves to amend my motion to refer this issue to the police, it does so contrary to the spirit of the recommendations of the Children's Commissioner. I draw the Government's attention to page viii of the commissioner's summary and recommendations, where he says this—

"Whilst the (Queensland Police Service) now has in place a dedicated infrastructure to combat paedophile activity with its expanded Child Exploitation Unit and Task Force Argos, it must be acknowledged that its capacity to succeed depends very much on intelligence. The ABCI of which the Bureau of Criminal Intelligence in Queensland ... is a component has been to the forefront in gathering nation-wide intelligence on paedophiles since 1989.

The need for enhanced performance of BCIQ has been drawn to the attention of the Commissioner of Police. Unless its BCIQ upgrades its collection and management of intelligence on paedophilia the (Queensland Police Service) through its Task Force Argos seems destined to fail to achieve its full promise."

If the Government goes down the road of seeking to amend my motion, and the member for Gladstone supports it, they will be doing that in contravention of the wishes of the Children's Commissioner, and they will be doing it in a way that he believes is doomed to fail. I believe that the community would only have the right to conclude that the Government is participating in a cover-up. That would be the only conclusion that one could draw. It is not good enough to leave paedophilia to be tackled by a State crime commission that would not get effective operation until April or May next year.

Mr Speaker, as you and every member of this House would know, I was the inaugural chairman of the Parliamentary Criminal Justice Committee. It came out of legislation approved in 1989, but the Criminal Justice Commission

did not start to operate until 22 April 1990. The children of Queensland cannot wait that long. The Opposition is not prepared to allow the children of Queensland to be scarred during that period while the Government dithers. It is not good enough. What I am saying is this: anybody with a heart and anybody with any compassion who is elected to this Parliament will support the royal commission idea that I have set forward in my motion, and then they will allow the State crime commission to adopt an ongoing role some time after that. I repeat what I said before: we are talking about children.

The former National Party Deputy Premier, Bill Gunn, set out clearly that he believes that paedophilia is in existence. This Government has not responded adequately. All we have had from the Premier is an attempt to destroy the reputation of the member for Whitsunday, Lorraine Bird, in a desperate bid to put politics ahead of children so that he can try to win that seat for his party. That disgraceful behaviour should not be carried over into this debate. A royal commission is the only way to protect our children.

Time expired.

Ms BLIGH (South Brisbane) (4.37 p.m.): I rise to second the motion moved by the Leader of the Opposition. On 1 May last year this House called for the establishment of an independent authority to fully investigate accusations of paedophilia. Much of that debate, particularly the contributions of the member for Mount Gravatt and the member for Gladstone, centred on the need for a dedicated body with the necessary legislative power to investigate this insidious and complicated crime. These members also noted that such a body, unlike existing agencies such as the CJC, could have particular regard to the sensitivities of this very difficult issue.

In May last year the Government claimed that the CJC was enough. The Government sought to water down the motion of the member for Capalaba, claiming that the CJC could do the job. The Parliament last year disagreed. As a result, the Minister for Families, Youth and Community Care moved to establish the Children's Commission. That commission had the bipartisan support of this House, although the Opposition at the time raised considerable concern about the lack of powers and legal protections available to the commission. The Government is now reaping the benefit of its own lack of regard for our considerations at the time. At that time the Minister assured the Parliament that the

Children's Commissioner would report on paedophilia.

The report tabled only this week was much heralded by the Government. What does the report tell us? Firstly, it states that the recent history of this State is littered with reports which document allegations of paedophilia, of the insidious and pervasive nature of the crime and possible high-level cover-ups of this activity.

Secondly, the commissioner holds material which attests to the protection of persons, including some high-profile Queensland figures. The commissioner has subsequently revealed that those include judges, police and politicians. What does the Children's Commissioner say about those allegations? He says—

"Lacking powers akin to a commission of inquiry under the Commissions of Inquiry Act 1950 which would enable it to pursue action necessary to establish the validity of the advice received"—

the commission can simply report it.

Therefore, the Children's Commissioner himself has acknowledged that the only way to validate the claims which he has in his possession is a commission of inquiry that has the power to subpoena witnesses, the power to put those witnesses under oath and examine their evidence, the power to pursue all evidence, and the power to recommend prosecutions, which, as the people of Queensland can rightly expect, would ultimately lead to convictions. There are only two possibilities regarding the revelations of the Children's Commissioner. Either, firstly, the Children's Commissioner is engaging in wild and baseless rumour and false speculation—and there is no reason to believe that that is the case, despite the Premier's allusions to that possibility this morning in this Chamber; or, secondly, there is some truth in the claims by the Children's Commissioner, in which case we are obliged to act decisively.

In May last year, the member for Gladstone concluded her speech with these timely words from Tony Koch—

"The main reason for the proliferation of paedophilia in all its evil forms is that adults in responsible positions choose to turn a blind eye ..."

Failure to support the motion before the House, any attempts to water it down and any shying away from a full commission of inquiry will be, in effect, the turning of a blind eye. Last year this Parliament called for a full inquiry

into paedophilia. We still do not have it, because the Children's Commissioner does not have the power to investigate and substantiate the allegations that have been made to him. Last year in this House we moved for a full inquiry; we must support that call once again. Any failure on any member's part to do so will inevitably beg the question from the community: whom are we seeking to protect?

I urge all members to put their hands up tonight in support of this motion. In light of the Children's Commissioner's revelations, it is absolutely not possible for any member of the Queensland public to have any confidence that the apparatus of the State is capable of meeting the task. I commend the Police Commissioner for making the extra resources available—

Mr Beattie: They are going to amend this to send it to the police.

Ms BLIGH: I commend the Police Commissioner for making the extra resources available, but I say to him that this is not merely a question of resources; this is a question of culture and corruption. If this Government expects the people of Queensland to believe that the police will once again investigate police cover-ups, then they will invite the absolute condemnation of every member of this community, particularly the parents of this community. I say to the Minister for Police and the Minister for Families, Youth and Community Care: if you move away from a commission of inquiry and move this to the police, you are inviting ridicule. That will make the workings of this Parliament appear an absolute farce. Last year we called for a full inquiry; we settled on a Children's Commission. It has been unable to complete the task because of a lack of powers. It is an absolute nonsense not to call for a commission of inquiry.

Time expired.

Hon. K. R. LINGARD (Beaudesert—Minister for Families, Youth and Community Care) (4.42 p.m.): I move—

"That all words after 'decades' in line six be omitted and the following words be inserted—

- endorses the action to be taken by the Queensland Children's Commissioner at 10 a.m. tomorrow in arranging protocols for the handover of all matters relating specifically to paedophilia activity to the Bureau of Criminal Intelligence;

- endorses the establishment from 2 p.m. Monday 25 August 1997 of similar protocols for the handover of matters relating to the axis between paedophilia and the supply of drugs to minors to the Queensland Police Service Drug Task Force which operates in conjunction with the CJC and NCA;
- calls on the Government to note the comments today of the Commissioner of Police, calls for an increase in police powers to investigate paedophilia and calls on the Government to amend the Criminal Justice Act to make the investigation of child abuse, paedophilia and organised crime a primary function of the Criminal Justice Commission or a Crime Commission'."

This is a very significant amendment, because it makes this issue a primary function of the Criminal Justice Commission or a crime commission. The most important thing is that it allows us to act immediately to amend the legislation and to bring in a crime commission. It allows us to implement it immediately. I note that the Leader of the Opposition has admitted that he himself is an advocate of the crime commission.

Following a previous motion in this House, I grasped the legislation of the Children's Commissioner with enthusiasm. No-one has criticised what the Children's Commissioner has done. No-one has criticised what has happened in the past eight months. No-one has criticised what has happened over the past 18 months.

Mr FOURAS: I rise to a point of order. The Minister is misleading the House. Groups such as the Families Association are critical of the Children's Commission's lack of power. They are very critical of its lack of power.

Mr DEPUTY SPEAKER: Order! There is no point of order.

Mr LINGARD: No-one to date has criticised what the Children's Commissioner has done. The honourable member knows as well as I do that legislation was implemented quickly and the position of Children's Commissioner was implemented quickly. What about plaudits for the Children's Commissioner? What about some plaudits for what has been done in the past eight months? What about plaudits for what has been done in the past 18 months? What about the previous six years? What did members opposite do over that six years? What have

they done since the Children's Commissioner has held the position? The shadow Minister has been criticising the Children's Commissioner continually. The first criticism related to the Children's Commissioner supposedly raising his voice in an interview situation. The second criticism related to using the analogy of a flower to indicate the growth of a child. Similarly the fact that the Children's Commissioner had gone to Scandinavia to attend a child abuse conference was criticised.

The role of the Children's Commissioner has been to receive the complaints about child abuse and paedophilia. Child abuse covers many more areas than paedophilia. Let us not limit this only to paedophilia. The United Nations convention has been very, very congratulatory on what the Queensland Government has done. It has done a lot for the rights of the child. Firstly, the Children's Commissioner can receive complaints. Secondly, the Children's Commissioner can refer to both the CJC and the police. Thirdly, and most importantly, the Children's Commissioner can monitor all of those things that have occurred. In the six years that they were in Government, the members opposite did not bring about any of that. They have admitted in this House that, under the previous Government, they would not have got the Children's Commissioner legislation through. The member for Ashgrove admitted that he could never have done that. The members opposite are trying continually to undermine the role of the Children's Commissioner.

The Children's Commissioner has been successful in implementing many of the programs and referring matters to the CJC and to the police. We want to introduce a crime commission, which will assist in all of the investigations, and not to have just another inquiry that would go for years—as did the New South Wales inquiry—with the result that nothing would be done in the future. The Children's Commissioner acts immediately, as we have seen in the eight months that he has been in that role. He will act immediately in the future.

Hon. D. E. BEANLAND (Indooroopilly—Attorney-General and Minister for Justice) (4.48 p.m.): In rising to second this amendment, I place on record my personal disgust at this heinous crime. I place on the record the steps that I have taken as part of a whole-of-Government approach to fight paedophilia. I took the initial steps last year, well before the release of this week's Children's Commissioner's report on paedophilia, a report that was brought about by the actions of a member of this Government—none other than

the Minister for Families, Youth and Community Care.

A principal responsibility of the Justice portfolio is the receiving of children's evidence in court. While children are called upon to give evidence in all sorts of cases, many times they are called upon to give evidence against people accused of abusing them. Evidential problems manifest themselves, particularly with sexual abuse cases. For too long there have been allegations that some children, in giving evidence, have not been given sufficient protection from savage or intimidating cross-examination or from coming face to face in court with the accused. Now there are many ways in which children's evidence can be received, for example, by video link and out-of-court statements. Although the current Evidence Act makes some alternative provisions for receiving evidence, there is a belief that protections are lacking. The National/Liberal coalition Government wants to ensure that children giving evidence can do so without fear.

The Government is also mindful of the need for evidence to be reliable in the interests of a fair trial. On the basis that changes are needed to the Evidence Act, in April this year I settled the terms of reference for a project to be conducted by the independent Queensland Law Reform Commission. The terms of reference are to review the capacity of the judicial system both in its criminal and civil aspects to properly receive the evidence of children.

I also sent the Law Reform Commission copies of a submission made to me by the Director of Public Prosecutions, Mr Royce Miller, QC, and a copy of the Australian Law Reform Commission and Human Rights and Equal Opportunity Commission draft recommendations paper titled "Children and the Legal System". I also sent Mr Miller's memorandum to the Minister for Families, Youth and Community Care stating that it would be appropriate for the Children's Commissioner, whose office was then yet to be established, to examine Mr Miller's report. Mr Lingard responded, stating that once the office of Children's Commissioner was established he would pass Mr Miller's report to the Children's Commissioner. I further asked that the Law Reform Commission take into account the recommendations of the Sturgess inquiry into sexual offences involving children and related matters of 1986.

Soon after receiving the reference, the Law Reform Commission advertised widely that it had received the reference and that it

sought submissions. In excess of 100 notices were sent by the commission to interested parties, and to date 47 responses have been received. Within the next two months, the Law Reform Commission will release its discussion paper, which identifies the significant issues regarding children's evidence and what changes it recommends to the laws affecting children's evidence. The commission is expecting to present to the Government its final report and recommendations in March next year.

I also add that the National/Liberal coalition Government's amendments to the Criminal Code, which came into effect on 1 July this year, have doubled and in some cases trebled the gaol terms for people convicted of paedophilia. The maximum penalties for offenders convicted of the sodomy of children has increased from seven years to 14 years. The penalty for unlawful carnal knowledge of a girl under 16 years is now 14 years, up from five years. Indecent dealing with a child under 16 is now 10 years, up from five years, and taking a child under 12 years for immoral purposes has been boosted from 10 years to 14 years. Of course, rape still carries the maximum sentence of life.

Queensland now has some of the toughest sentences for paedophilia in this country. Now that those laws are in place, this Government has every expectation that the courts and the police will utilise them fully. Indeed, in this regard it is timely to congratulate the police on their excellent efforts to date. The people of Queensland want the substantiation of evidence that will lead to successful prosecutions in our courts.

The motion calls on the Government to amend the Criminal Justice Act to make the investigation of child abuse, paedophilia and organised crime the primary function of the Criminal Justice Commission or a crime commission. Under the Criminal Justice Act, the Criminal Justice Commission is charged with dealing with major and organised crime. I believe that it is fair to say that any reasonable person would have believed that that would include paedophilia. Indeed, the CJC's failure to act upon the heinous crime of paedophilia, despite its enormous coercive powers and custody of the Fitzgerald Inquiry's secret files on paedophile activities, is one reason why this Government gave an election promise to instigate legislative reform of the CJC. The Children's Commissioner himself appeared surprised by the CJC's inaction, which he highlighted in his report. Amendments to the Criminal Justice Act will soon be available for

public consultation and introduction into this Parliament.

Time expired.

Mrs BIRD (Whitsunday) (4.53 p.m.): I rise in support of this motion because it is an issue that strikes at the very heart of our society. We could not have a more basic issue than the safety and welfare of our children.

Over the past 20 years, I have worked with and for victims of sexual abuse as a telephone councillor, and then as a community development officer I facilitated and supported the establishment of a sexual abuse counselling service. In recent years, as an elected member of local government and State Parliament, I have been the recipient of complaints and I have acted as a referral person. During those 20 years, I discovered that sexual abuse of children occurs at every level of society and that this abuse causes festering sores that spread and continue to grow for life, manifesting itself in suicides, suicide attempts, drug and alcohol addiction and psychological diseases such as eating disorders, obsession, panic attacks, self-mutilation, guilt, self-blame, low self-esteem, and no self-worth.

I learned that networks do exist and, as Russell Cooper stated on Henshaw in 1993, that the perpetrators are in many cases "very transient". I found that perpetrators could continue to live otherwise normal, respectable and often comfortable, high-profile lives while silencing their victims with threats and violence despite community suspicion and complaints. Those are the reasons why I nominated for the seat of Whitsunday in the late 1980s, and I will continue to push this issue until it is publicly and formally dealt with. If we do not do everything possible to protect our children, then we as members of Parliament have failed in our primary purpose.

After I raised the issue of paedophilia occurring in and around the islands up and down the coast of Queensland, I became the centre of some amazing attacks. I do not withdraw the claims I made, nor do I regret them and nor do I apologise for them. If I did not raise those issues, I could not live with myself. I took the step of supplying my information to the Children's Commissioner because I want these matters investigated fully. Since I raised this issue publicly, my office has been inundated with calls from victims and parents who are concerned about this vile crime. I will continue to collect information and pass it on to the commissioner.

However, the only problem with this process is that I, as a member of Parliament,

and the Children's Commissioner, through his limited powers, cannot provide adequate protection for anyone who comes forward. That is why we must have a royal commission to fully investigate paedophilia in this State and to provide the necessary protection for the most vulnerable people who come forward.

One of the victims who has come forward before and since I raised this issue was Blake Rogers. I want to take this opportunity to thank Blake for the very brave step that he took yesterday when he went public about his case. Blake said that he felt that it was too important an issue to have hidden behind closed doors. He made the valid point that silence about paedophilia was acceptance. If we do not raise this issue and instead sweep it under the carpet we are, in fact, giving our silent acceptance for this disgusting crime to continue unhindered. Blake is a very courageous, well-spoken young man who to this point has had his life ruined. He made it clear that he wants to turn his life around by using his experiences in a positive manner—by educating people about what has happened to him and to give children the confidence to speak out.

It is very a noble aim for Blake, and one that I support fully. Unfortunately, not all victims of paedophilia can speak out in the same manner as Blake. They need all the help that we as parliamentarians can give them. A royal commission into paedophilia will give these people the opportunity and support for them to come forward.

As I said before, I have come under attack for the stand that I have taken, but I am not the only one making these claims. The Children's Commissioner, Norm Alford, and the Government adviser, Bob Bottom, have both backed up my claims. Mr Alford has also received extremely serious claims that paedophilia could go right to the top of our society and that police are involved in a cover-up that is continuing today. Those claims have been reinforced by former Deputy Premier and Police Minister, Bill Gunn, who says that it is still going on today. Even the current Police Minister, Russell Cooper, has admitted that his directions to police were not followed up in 1988, and he spoke about higher-placed people who are blocking his attempts to have this matter investigated properly. I have had similar experiences.

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (4.58 p.m.): I would like to place very publicly on the record yet again the Government's extreme concern about the

allegations of paedophilia and reiterate the Government's genuine commitment to getting to the bottom of these allegations. I note the comments of the member for Whitsunday. I refer to an article that appeared in a Whitsunday newspaper about those comments. It states that Mrs Bird's own staff members said that they knew nothing of the file that she had accumulated on paedophiles and did not expect the announcement, saying only, "I hope she knows what she is doing."

We have to make sure that we know what we are talking about. Although I acknowledge the very real concerns of the members of the community about this matter and that their faith in some of the institutions of this State has been shaken—and there is no doubt that their confidence has been shaken by revelations and allegations—there has to be proof and there has to be evidence. So let us get it. Do members know how long royal commissions take and what is recommended when they are completed? We want to do something now, and we have been doing something since February. So far, 22 people have been charged with over 700 charges laid through Operation Argos, which indicates that the Queensland Police Service is very active. In contrast, let us look at the record of the Opposition during its six years in Government from 1989 to 1996.

An Opposition member interjected.

Mr COOPER: Why not? The Labor Party had the opportunity to do something in that time and it did absolutely nothing. The Government's record of actually doing something about the situation is a good one. The Labor Party knew that there were problems and it could have done something about them. Members opposite are hypocrites. They love grandstanding and play acting for the cameras. We see their stage-managed acts every night. However, they are not serious about anything. This Government is serious, as our record shows.

A lot of the allegations that members opposite talk about are pre-Fitzgerald. We have to ensure—

An Opposition member interjected.

Mr COOPER: Okay, it is the same with anyone. We have to get evidence. That is why we have coordinated Operation Argos, the Children's Commissioner, Bob Bottom—who is a special adviser to me, through the police—and other agencies, including the National Crime Authority, the Criminal Justice Commission and the Customs Service. All State and Federal agents are heavily involved and have been coordinated to make a

concerted attack on the problem. In addition to that, the State crime commission—which I believe is the right way to go—can be set up a hell of a lot earlier than the Opposition is claiming. The Opposition says that the crime commission cannot be set up until May next year. How long do they think a royal commission would run for? People are sick to death of royal commissions and inquiries. The Opposition talks about the endless cost of those things and, indeed, what do the people get from them? Their results are sometimes very doubtful.

Members should not forget that the Fitzgerald inquiry was a form of royal commission. In 1988 I tried to establish an inquiry into drugs, as Opposition members know. I tried to put that on the agenda and was told no. That is the result of a royal commission: nothing happened. What about paedophilia? In 1989 I tried to do something about paedophilia and again nothing happened. People opposite sat in Government for six years and did nothing. Now they should get behind the Government and support this very pro-active and serious measure.

People do not want more inquiries or royal commissions; they want results. They want criminals nailed to the wall. They want to see hard evidence that produces prosecutions and that is exactly what the Government intends to provide if offenders are out there. By God, with all the action that the Government has taken—we have not been merely talking and grandstanding—we will get the results that the people of Queensland want and that they are absolutely entitled to.

The Government will revamp the Criminal Justice Commission and, from that process, the State crime commission will be formed. I believe that that is the way to go, as the crime commission will work in conjunction with the Queensland Police Service, the Children's Commissioner and the National Crime Authority. This is not just a State issue; it is a national one. The issue crosses all borders, State and national. Unless we utilise all of the intelligence services that are available, we will not get to the bottom of the problem. This Government is getting to the bottom of the problem; the former Government did nothing.

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (5.03 p.m.): From the beginning one has to ask: what does the Government have to hide when it refuses to establish a royal commission to deal with these issues? When the Government says that its motion meets the needs of kids in Queensland, it is kidding itself.

The first dot point of the amended motion gives nothing more than what is provided now. The second dot point gives nothing more than what is available now. The third dot point talks about increased police powers, which the Government is in the process of providing anyway. The Government does not promise the member for Gladstone a crime commission. The amendment states "or a Crime Commission". The Government says that it will increase the powers of the CJC or it will look at establishing a crime commission. What does the Government have to hide if those facts are brought into the public view?

In May 1996, the member for Gladstone was spot-on when, in support of my motion to set up a Children's Commission, she said that she had concerns about the role of the CJC. She was right when she said that the CJC was not the appropriate body for these investigations. That is still the case. The case before the member for Gladstone has not changed. Only a royal commission can bring these issues to the forefront.

Mr Lingard interjected.

Mr ELDER: I take the interjection. I remind the member for Gladstone of the comments that the Minister made when we set up the Children's Commission. He said, "There have been only six complaints from Queensland at the Wood inquiry. That is all we have in Queensland." He will recall those words, and they are telling words now. What does the Minister have to hide? At the time when I said that the Children's Commissioner needed certain powers, he said that such powers were not needed. He said that monitoring and review powers were fine. He kicked and screamed about setting up the Children's Commission. Now that the Children's Commissioner has proved what we said all along, that the problem is institutional, it is no good getting the police to investigate the police, which is what the Minister is recommending to the Parliament tonight. He has changed nothing.

At the end of the day, the Minister is walking away from all the victims in Queensland. As the Minister knows, there are not just six victims, which is the picture that he tried to paint for the Parliament when he was attempting to walk away from the Children's Commission. Paedophilia victims are coming into the offices of each member of this House. They are ringing talk-back radio shows and they are courageously coming forward with their cases. Yet what does the Government say to the people of Queensland? It says, "Have faith! The police may have been

involved, judges and politicians may have been involved, but have faith. We'll give it back to the police to investigate." The Government says, "Have faith! You can appear before the police and put your case." The Government and the member for Gladstone know full well that those people will not do that. Unless there is an independent body such as a royal commission that will give people the confidence to come forward, they will not come forward. The Police Minister says that a royal commission would not work. He should look at the results of the Wood commission of inquiry in New South Wales and then try to tell me that it would not work.

The Government is taking an outrageous position when dealing with the lives of young people. It is outrageous to say that those people have no rights. At the end of the day, it is outrageous to say that kids who have been or are currently being abused will not have the opportunity to present their cases in a fair environment where they will know that the matter will be investigated appropriately by a royal commission of inquiry.

Look at the Government! The other day allegations were made about a snuff movie in which a young child was sodomised and murdered. Doesn't that worry the member for Mount Ommanney? Doesn't that drive a stake through his heart? Isn't he worried about such things happening in the State?

Mr Harper: Why didn't you do something about it?

Mr ELDER: I will tell the member what we will do. We will set up a royal commission to investigate and get to the bottom of the matter. At the end of the day, every Government member has to ask himself or herself: what is the Government covering up? What has it got to hide? Why is it fleeing, like a vampire flees from sunlight, from this issue? Why is it walking away from setting up such a commission? It is because it has something to hide! At the end of the day, that is the only reasonable conclusion that I can come to. What does the Government have to hide?

Time expired.

Mrs CUNNINGHAM (Gladstone) (5.08 p.m.): The issue of paedophilia is one that has been discussed in this House on a number of occasions. Now we have the report of the Children's Commissioner which, rightly, is disturbing. It is also disturbing to have members on the Opposition side of the House accusing those on the Government side of a cover-up when the information in the document also indicates that the problems of paedophilia have been around for years. I

applaud the member for Whitsunday for her bravery. She has said that she has information in her office that she took to her own people, when the Leader of the Opposition was the chairman of the PCJC, and nothing happened.

Mr BEATTIE: I rise to a point of order. That is offensive and untrue. Mrs Bird said that it was referred to the CJC, which it was, and it was fully investigated by the CJC. That was the proper role of the committee. I ask for the matter to be withdrawn. I would have expected the member to tell the truth.

Mr SPEAKER: Order! The honourable Leader of the Opposition has asked for a withdrawal.

Mrs CUNNINGHAM: Mr Speaker, on your request, I withdraw.

The original motion seeks to set up another royal commission. I believe that people do not want more talk. The member for Capalaba has said that a royal commission is not just more talk, but people want something done. They want people arrested. They want the police to have the ability to take the names and evidence that the Children's Commissioner has found and make an arrest, as opposed to accumulating a lot more information and preparing another report so that something else can be done or talked about. From discussions with the Children's Commissioner, I have found that, since the release of his report, attitudes have changed. The Bureau of Criminal Intelligence is acting more responsibly. In fairness to the Children's Commissioner, who has done a magnificent job, I believe that his passion for this issue will ensure that action occurs.

The last dot point concerned either establishing a crime commission or sending the matter back to the Criminal Justice Commission. I can tell the House that my support is 1,000% for the establishment of a crime commission. If this Government attempts in any way to hand the issue of paedophilia and child abuse back to the Criminal Justice Commission, I will be the one who is moving motions against it. The CJC has had years to do something about paedophilia. It has had that information and it has failed to act. That is the greatest indictment of that body. As to organised crime and paedophilia—the CJC could have brought that matter forward and briefed somebody.

Mrs Bird: Who?

Mrs CUNNINGHAM: The matter could have been brought to the House so that it could be given some authority. Give me a break! The CJC has the power to investigate

the abuse of children and paedophilia, but it did nothing about it. Even if it did hand the matter to the coppers and the coppers did nothing, it should have come back and said something to someone. It should have been on the front page of the Courier-Mail saying, "We cannot get any action." Our kids are much more valuable than those of us who sit in here spouting words against one another to score political points. That is all that is happening. I want to support a motion that will get some results. I want to support a motion that will see bums in the gaols and in the judges' chambers.

An honourable member interjected.

Mrs CUNNINGHAM: I am sorry, but I have received some advice. That advice is that either way will achieve an end, and the crime commission will achieve long-term goals. If that is what is going to protect our kids in the long term, that is what I will support.

Mr BREDHAUER (Cook) (5.12 p.m.): I am not sure whether the member I have just heard in this Chamber is the same member for Gladstone who stood in this Parliament last year and said—

"I have some concerns about the negating of that amendment for the simple reason that the CJC, which would probably be the primary body to which any complaint or investigation would be referred, has very much a criminal focus.

...

But I wonder, given the sort of investigation being proposed, how free people would feel about approaching the CJC and voicing their concerns before what is, I believe, a very judicial-type group."

The member went on to say—

"Let us establish a body targeted at investigating paedophilia, otherwise the specific problem of child abuse will be lost in the system."

The same member for Gladstone now stands in this House and says that, if the CJC does not have the necessary powers, we should give it those powers. Let us have a look at the inconsistencies and the whitewash that is being proposed by this Government in the amendment it has put forward this afternoon. The first dot point reads—

"... endorses the action to be taken by the Queensland Children's Commissioner at 10 a.m. tomorrow in arranging protocols for the handover of all matters relating to paedophilia activity to the Bureau of Criminal Intelligence ..."

We do not need a protocol. The commissioner has the power under the Children's Commissioner Act. In fact, he has an obligation under the Children's Commissioner Act, if complaints are made, to refer them to the appropriate agency, including the Bureau of Criminal Intelligence. Dot point No. 2 states—

"... endorses the establishment from 2 p.m. Monday 25 August 1997 of similar protocols for the handover of matters relating to the axis between paedophilia and the supply of drugs ..."

We do not need protocols. The Children's Commissioner has not just a responsibility but an obligation under the Act to hand over that material to the appropriate agencies.

Mr Cooper: You have done nothing.

Mr BREDHAUER: Don't you interject. You're the person who said that, when you were the Police Minister, you ordered that something be done about it.

Mr SPEAKER: Order! The honourable member for Cook will refer to honourable members by their correct title and not "you".

Mr BREDHAUER: The Minister was the person who said that, when he was the Police Minister, he ordered an investigation and it was obstructed by the police. Now he wants to send it back to the police. In relation to the snuff movie, the Children's Commissioner said that that issue was raised as a police investigation, and the police obstructed the investigation. What this Government wants to do is send it back to the police. What we are telling the abused children of Queensland tonight is that they can have a protocol. What we are telling the victims of child abuse and of paedophilia tonight is that the member for Gladstone and the Government are going to give them a protocol. What we are telling Blake Rogers, who stood courageously in front of the TV cameras yesterday and admitted what had happened to him in the past—and he was dry-retching before the cameras—is that he can have a protocol. Won't he be relieved that he spent all of that time summoning up the courage to talk publicly about what had happened to him so that the Police Minister, the Attorney and the Minister for Families can give him a protocol? Won't he be relieved? Won't the mums and dads of Queensland be relieved?

Dot point No. 3 states—

"... note the comments of the Commissioner of Police ..."

Isn't that a big effort on behalf of the Parliament tonight! We are going to "note the

comments of the Commissioner of Police". It further states—

"... investigation of child abuse, paedophilia and organised crime a primary function of the Criminal Justice Commission or a Crime Commission."

The Minister for Families and Minister for Police went on the record on this issue on Monday. Did they support a crime commission? No, they did not. The member for Gladstone does not support it going to the CJC. So people are saying that it should not go to the CJC. Other people want to send the matter to the police, who the Children's Commissioner says have obstructed the investigation of the matter in the past. And this Government is not even prepared to commit itself to a crime commission. We need the inquiry. We need to get to the facts. We need to get the recommendations for legislative change. We need to address the issue. We do not need a whitewash. We do not need protocols. We need action. The Government will stand condemned by the parents and the public of Queensland for perpetrating a whitewash in this Parliament.

Time expired.

Mrs WILSON (Mulgrave) (5.17 p.m.): Members opposite had six years in which to do something and did absolutely nothing, yet they have had this information. Families and young people have been absolutely rent asunder by what has been going on throughout that time, but members opposite did nothing. The information was there. They talk about the information going to the CJC. What did they do before that? If the member for Whitsunday had the information, it should have gone further. She passed that information on. Tonight, I have heard words such as "show compassion", and from the member for Cook I have heard words such as "action". I heard the member for Whitsunday say, "Let's do something about it." The very time that this Government has got up and done something about it—

Opposition members: What?

Mrs WILSON: We appointed a Children's Commissioner. In eight months, the Children's Commissioner has come up with a report that is giving us something to work on, yet members opposite are saying, "Do something." Methinks they protest too loud. Members opposite are shouting, ranting and raving, but they did nothing. They watched young lives go to rack and ruin and they did nothing. We are doing something. I do not often get angry, but I am angry with the lot opposite tonight, because they do not know

what they are doing. They want another royal commission that would take a long time to bring about any changes of benefit to families in this State. That is not good enough. The Minister, this Government and I will not have that. The Opposition is an absolute disgrace.

Following the presentation of the Children's Commission report, there will be a new era of cooperation between the Police Department and the Department of Families, Youth and Community Care. Children are going to be looked after; families are going to be looked after.

Mr Ardill: What rot!

Mrs WILSON: The member says, "What rot!" Let me tell him this: the report has aroused interest overseas. This morning the BBC rang and spoke to the Children's Commissioner. This morning the BBC rang to speak to the Minister. When the BBC starts ringing Queensland, it shows that we are on the map globally with what we are doing here. Members opposite had a chance to do something when they were in Government and they did nothing. This report signals the start of a new era in Queensland and a new era in this country in the investigation of paedophilia. The reported numbers of calls to the Children's Commissioner just since the tabling of this report indicate that those affected by paedophilia have confidence that the Queensland Government will do something about it.

For the information of members opposite, I point out that in Queensland there are more than 800,000 young people who can be defined as "children" under the law, that is, individuals under the age of 18. They are the young people who are being affected by these fiends whom members opposite let lie around and carry on for the last six years and about whom they did absolutely nothing. The former Government sentenced those victims to six years of detention. Those 800,000 young people represent about 27% of the population of this State. The former Government left 27% of this State's population at the mercy of paedophiles. What a disgrace!

Mr Elder interjected.

Mrs WILSON: The member has shouted long enough. He went red in the face talking about what he thought Labor would do. It did nothing.

Mr Elder: You're a oncer.

Mrs WILSON: I am a realist.

Mr SPEAKER: Order! I warn the member for Capalaba under Standing Order 123A.

Mrs WILSON: The decision makers of this Government are going to do something about this matter. We are not going to let those young people continue to suffer, and we appointed a Children's Commissioner to achieve that very aim.

The report was made possible only through the cooperation and exchange of information between the Police Service and the Department of Families, Youth and Community Care. The former Government did not allow communication between departments.

Mrs Edmond: What utter rubbish! Where did you get that from?

Mrs WILSON: I got that information from the commissioner.

The report notes that the Children's Commission has been regularly briefed on the operations of Task Force Argos. This task force was established under the present Government—yes, once again, the present Government—to specifically target paedophilia in this State. What did members opposite do? They did nothing! Task Force Argos has some 20 operational detectives and is supported by intelligence analysts from the Bureau of Criminal Intelligence, so it is not just out there on its own. A further example of the determination of the Queensland Police—

An Opposition member interjected.

Mrs WILSON: I have not run out. A further example of the determination of the Queensland Police Service through Task Force Argos, the National/Liberal Government and the Children's Commission to stamp out paedophilia in this State—

An Opposition member interjected.

Mrs WILSON: We did not hide it. We want to stamp it out. As I was saying, a further example of this determination is demonstrated by this year's Operation Paradox. For members who do not know, I point out that Operation Paradox—

Time expired.

Question—That the words proposed to be omitted stand part of the question—put; and the House divided—

AYES, 41—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

NOES, 41—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Santoro, Carroll

Pair: De Lacy, Goss, J. N.

The numbers being equal, Mr Speaker cast his vote with the Noes.

Resolved in the negative.

Amendment (Mr Lingard) agreed to.

Motion, as amended, agreed to.

GRIEVANCES

Curragh Mine Dispute

Mr PEARCE (Fitzroy) (5.30 p.m.): The real agenda of the Borbidge Government's involvement in the Curragh mine dispute was today exposed in the industrial commission. Yesterday, Industrial Relations Minister Santoro said in a media statement that the strike had cost Queensland more than \$100m. He said that the dispute must end and that it is too important to the welfare of Queenslanders to let it drag on. Today in the industrial commission the company has argued that there was no such impact on the economy. Queen's Counsel representing the Minister supported the submissions of the company, contradicting the Minister's statement of yesterday.

Mr Santoro has been dealt a huge blow. Yet another Minister of this Government stumbles on the lurching deck of the sinking ship. They have both argued—the Government and the company—that the dispute was not causing significant damage and that the enterprise bargaining period should continue. They are arguing for the continuation of the strike. What a farce! This is industrial corruption at the highest level. They are working together in an effort to prolong the strike. Why? To put the Government and Arco in a strong position to exercise their right under the current legislation to prosecute and sue the unions.

I am pleased to announce to the House that the ploy has backfired. I am pleased to announce that the mine workers of Curragh will return on Monday and go to the Conciliation and Arbitration Commission. This is a great win for the union, and it shows that Mr Santoro has to do a little bit more homework before he opens his big mouth. His statement yesterday gave the union a doorway to the commission, and it has achieved a significant outcome.

*Submitted by Re
Premier*

28/5/03

76

25th August, 1997

Mr. Frank Clair,
Chairman,
Criminal Justice Commission,
557 Coronation Drive,
TOOWONG 4066

Dear Mr. Clair,

In the light of the current debate and most serious and alarming allegations concerning paedophilia which surfaced in the past two weeks, my office has been receiving a considerable number of unsolicited calls, making a variety of allegations and, in some cases, claims that allegations have not been properly dealt with by relevant authorities, including the Department of Families, Youth and Community Care, and law enforcement agencies.

I obviously want to ensure that all these allegations are appropriately dealt with, and would be grateful for your urgent advice on whether the CJC is now the appropriate body to receive such material from this office, and also whether we should be informing callers to contact the CJC direct.

If the CJC is the appropriate body in both cases, then a contact point and other details for referral would be much appreciated.

I look forward to hearing from you.

Regards.

Yours sincerely,

**PETER BEATTIE, MLA
LEADER OF THE OPPOSITION.**

Submitted by the Premier

28/5/03

17

3368

Dental Technicians and Dental Prosthetists Amendment Bill

28 Aug 1997

with the QTTC and me. What did the Leader of the Opposition say? At the back of this Chamber he said to me, "If she is wrong, I will put out a media statement saying that she is wrong." I tell the Leader of the Opposition that those people met with—

MR BEATTIE: Mr Acting Speaker, I also said that I stood by her.

MR ACTING SPEAKER: Order! Is the Leader of the Opposition taking a point of order?

MR BEATTIE: Yes, I am. I also said that I stood by her and that I would make sure that every one of those allegations is properly investigated and not covered up like the Government wants them to be.

MR ACTING SPEAKER: Order! There is no point of order.

MR DAVIDSON: I say to the Leader of the Opposition that if he believes that there are organised paedophilia rings on the Whitsunday islands, he should go and ask the people who are involved in the tourism industry in that area. No-one is aware of any of those allegations or claims. They met with the shadow Tourism Minister—

MR T. B. Sullivan interjected.

MR ACTING SPEAKER: Order! I warn the member for Chermside under Standing Order 123A.

MR DAVIDSON: They met with the shadow Minister for Tourism. I asked them, "How did you go? Did you get a commitment from Mr Gibbs, the shadow Minister?" They said to me, "For five years when he was the Minister for Tourism, he did nothing for us. Why would he do anything for us now as the shadow Tourism Minister? He never visited the Whitsundays. He never gave us the attention that we deserve. He never ever launched campaigns in the Whitsundays." This Government has done that and it will do everything that it possibly can to protect the tourism industry in the Whitsundays from people such as their local member, Lorraine Bird, who last week made those ridiculous and stupid statements.

I believe that there is always a risk in doing business. We have taken the opportunity with South Pacific Cruise Lines to create 340 jobs for long-term unemployed people in this State. We have not provided any funding to South Pacific Cruise Lines other than the funding that was provided for a consultant to undertake the feasibility study, which I will have in seven days. If the Opposition continues to make these

allegations, it will put at risk the proposal that is before—

MR ELDER: Are you renegotiating funding with them?

MR DAVIDSON: I have not negotiated any funding with SPCL.

MR ELDER interjected.

MR ACTING SPEAKER: Order! I warn the member for Capalaba under Standing Order 123A.

MR DAVIDSON: I have never ever negotiated funding with SPCL. It has been done at officer level in my department. It has always been done at officer level in my department.

MR ACTING SPEAKER: Order! The time for questions has expired.

DENTAL TECHNICIANS AND DENTAL PROSTHETISTS AMENDMENT BILL

Second Reading

Resumed from 27 August (see p. 3328).

Mrs EDMOND (Mount Coot-tha) (11.30 a.m.), continuing: As I was saying before the adjournment of this debate yesterday, unlike what happened with the 1991 legislation, this Minister has not undertaken any consultation with the major stakeholders. Not content with that, the Minister then rushed the Bill into the House without warning while the Australian Dental Prosthetists Convention, the profession's major career convention, was under way in Alice Springs. He introduced the Bill while the key industry people were away. One cannot help but ask: why the secrecy? Why the subterfuges? Why the total lack of consultation?

Members of the association met with senior Queensland Health officials just one week before this Bill was introduced. They were told that a submission regarding the oral health certificate in the context of the health Acts would be taken to Cabinet in a few weeks, but this Bill was not even mentioned. Was this a deliberate deception directed at the prosthetists by Queensland Health? If so, I ask the Minister: why? It is certainly strange that the stakeholders most affected by this Bill—in fact, the only stakeholders affected by this Bill—were not even spoken to about it, even though they were in the department just seven days before its introduction.

I note the concluding comments of the Minister's second-reading speech that the Government looks forward to working with

Labelled by the Premier

18

28/5/03

**TRANSCRIPT
4QR 11 AM NEWS
THURSDAY 12 MARCH, 1998
LORRAINE BIRD**

REPORTER: A NORTH QUEENSLAND MP WHO RAISED PAEDOPHILE ALLEGATIONS SAYS SHE IS UNSURE IF SHE CAN RETAIN HER SEAT AT THE NEXT STATE ELECTION. LORRAINE BIRD WON THE SEAT OF WHITSUNDAY BY JUST OVER 50 VOTES AT THE LAST ELECTION. MRS BIRD HAS SINCE BEEN AT THE CENTRE OF A STORM SURROUNDING HER CLAIMS THAT A PAEDOPHILE RING WAS OPERATING IN THE WHITSUNDAYS. THE CJC'S KIMMINS INQUIRY THIS WEEK DISMISSED HER CLAIMS AND WHILE SHE SAYS SHE HAS NO REGRETS, SHE WISHES SHE'D KEPT THE ISSUE OUT OF THE MEDIA.

BIRD: I WAS GIVEN COMPLAINTS, I COULDN'T OF LIVED WITH MYSELF IF I HADN'T DONE SOMETHING ABOUT IT, I WOULD DO THE SAME THING TOMORROW IF PEOPLE CAME FORWARD TOMORROW, EXCEPT THAT I PROBABLY WOULD DO IT WITHOUT SUPPORT OF THE MEDIA.

ENDS.

Tabled by the Premier

25/5/03

2152

Papers

25 Sep 1998

Fouras on 17 March 1992. This rule is set out in Erskine May's Parliamentary Practice, 22nd edition, which states at page 387—

"...expressions which are unparliamentary when applied to individuals are not always so considered when applied to a whole party."

In addition, to enhance the dignity of the House, I intend to rigorously enforce the following rules—

Members must address their remarks through the Chair.

Members must address other members by their correct title and not as "you" or "yours".

Members who are addressed collectively should be named correctly; that is, Opposition, Pauline Hanson's One Nation Party, Government members or Independent members.

To again quote May at page 386—

"Good temper and moderation are the characteristics of Parliamentary language. Parliamentary language is never more desirable than when a Member is canvassing the opinions and conduct of his opponents in debate."

Finally, while I am addressing the House on these matters, I wish to take this opportunity to warn all members to be mindful of how they exercise their privileges. To do so, I can do no better than to recall the advice of the Lord Keeper, Sir Edward Coke, in 1593 to the Speaker, and therefore to the Parliament—

"Her Majesty granteth you liberal but not licentious speech—liberty therefore but with due limitation."

PETITION

The Clerk announced the receipt of the following petition—

Arthur Gorrie Correctional Centre

From Mr Palaszczuk (285 petitioners) requesting the House to take immediate action to make funds available to provide a motorway standard access point to the Arthur Gorrie Correctional Centre from the Ipswich Motorway.

Petition received.

PAPERS

PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

25 September 1998—

~~Criminal Justice Commission—Inquiry into Allegations of Misconduct in the Investigation of Paedophilia in Queensland: Kimmins Report~~

14 September 1998—

Mt Gravatt Showgrounds Trust—Annual Report 1 May 1997 to 30 April 1998

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by The Clerk—

Aboriginal Land Act 1991 and Torres Strait Islander Land Act 1991—

Natural Resources Legislation Amendment Regulation (No. 2) 1998, No. 243

Associations Incorporation Act 1981, Auctioneers and Agents Act 1971, Bills of Sale and Other Instruments Act 1955, Business Names Act 1962, Collections Act 1966, Funeral Benefit Business Act 1982, Hawkers Act 1984, Invasion of Privacy Act 1971, Land Sales Act 1984, Motor Vehicles Securities Act 1986, Partnership (Limited Liability) Act 1988, Pawnbrokers Act 1984, Retirement Villages Act 1988, Second-hand Dealers and Collectors Act 1984, Security Providers Act 1993, Trade Measurement Administration Act 1990 and Travel Agents Act 1988—

Equity and Fair Trading (Fees and Charges) Amendment Regulation (No. 1) 1998, No. 253

Dental Act 1971—

Dental Amendment By-law (No. 2) 1998, No. 240

Disposal of Unexecuted Warrants Act 1985—

Disposal of Unexecuted Warrants Regulation 1998, No. 239

Electricity Act 1994—

Electricity Amendment Regulation (No. 2) 1998, No. 251

Fuel Subsidy Act 1997—

Fuel Subsidy Regulation 1998, No. 250

Health Act 1937—

Health Amendment Regulation (No. 3) 1998, No. 246

Indy Car Grand Prix Act 1990—

Indy Car Grand Prix Amendment Regulation (No. 1) 1998, No. 249

Local Government Act 1993—

Local Government (Limited Reviewable Local Government Matters) Regulation 1998, No. 248

Mineral Resources Act 1989—

Mineral Resources Amendment Regulation (No. 3) 1998, No. 252

Natural Resources Legislation Amendment Act 1998—

Proclamation—the provisions of the Act that are not in force commence 1 September 1998, No. 242

Inquiry into Allegations of Misconduct in the
Investigation of Paedophilia in Queensland

Kimmins Report

AUGUST 1998

Executive Summary

I share the community's abhorrence of paedophilia. Those who prey upon and defile our young and innocent — and those who harbour such deviates — deserve nothing less than the full wrath of the community's condemnation and the fullest retribution prescribed by law.

One must be careful, however, not to falsely condemn. As a matter of logic, the stigma attaching to such allegations means that the damage inflicted by the wilful or negligent labelling of an innocent person as a paedophile, or as a protector of paedophiles, must surely rank with that suffered by the victims of such acts. Not only does the airing of untested accusations threaten the innocent, but it risks prejudicing the investigation and prosecution of the real offenders.

The public heralding of false accusations can therefore be considered as heinous as paedophilia itself, particularly where the peddler of an accusation knows or ought to know that the accusation is untested, or worse, is unlikely to have substance.

The fact that there exists those within our community who do, or who are minded to, prey upon our children is well recognised. However, it is in the community's interest that those who are in a position — directly or indirectly — to influence the public broadcasting of particular allegations should be vigilant to ensure that innocent people are not falsely condemned, and that investigations are driven by reasonable suspicion and not mere hysteria.

The allegations that gave rise to Project Triton implied cover-ups of paedophilia and impropriety by public officials at all levels and over many years, but principally from the early 1980s to the present. Those allegations received widespread and prominent publicity; yet, upon investigation, not one allegation had substance in fact. Indeed, in many instances, the allegations did not bear the slightest scrutiny.

During that period of Queensland history, there were a number of inquiries that, in part, touched upon the investigation of paedophilia, including the inquiries conducted by Mr Sturgess, QC (1985) and Mr Fitzgerald, QC (1987–89). In addition, there were also a number of police operations, including Operation Cleanup (1985), and the establishment of dedicated police task forces, including the Argos Task Force (1996–).

Surely it is not too much to expect that the unfortunate events exposed by Mr Sturgess and Mr Fitzgerald as having occurred in Queensland in the 1970s and 1980s can finally be assigned to the pages of history — at the very least in so far as the matters pertaining to the present Inquiry are concerned.

The Lewis 'dirt files' (Reference 1)

Specific allegations were made in articles published by the *Courier-Mail* about the former Commissioner of Police, Terence Lewis. It was asserted that Lewis had gathered incriminating material which he used, or proposed to use, to blackmail high-profile figures. It was further suggested that this material was seized from Lewis in the late 1980s by investigators attached to the Fitzgerald Inquiry.

It is a matter of record that a great number of Lewis's documents were seized by the Fitzgerald Inquiry. There is no basis to suspect that any of these documents were 'culled' after they had been seized. There can be little argument (and it is hardly surprising) that in some circumstances the information contained in Lewis's documents might have been capable of supporting attempts at blackmail. However, the Fitzgerald Inquiry had virtually unlimited time, money and resources to explore every document and every aspect of Lewis's life. The Fitzgerald Inquiry subjected Lewis to the closest and most searching of examinations and exposed his corruption. After two years of such

The Chairperson
Criminal Justice Commission
557 Coronation Drive
TOOWONG Qld 4066

Dear Sir

PROJECT TRITON

Pursuant to sections 25(2)(d) and 66 of the *Criminal Justice Act 1989*, on 18 November 1997 the Criminal Justice Commission engaged me:

- to hold such public and/or private hearings as may seem appropriate in respect of allegations of official misconduct or misconduct on the part of police officers and/or official misconduct on the part of other public officials relevant to five specific terms of reference; and
- to report thereon to the Commission.

Attached is a report to the Commission detailing the results of those hearings in respect of the first four terms of reference.

Reference 5 requires me to consider every complaint 'made publicly, or directly or indirectly to the CJC' relating to the alleged failure of public officials to investigate paedophilia. My consideration of those matters is ongoing. I shall in due course provide to you a separate report in respect of Reference 5.

Yours faithfully

J P Kimmins

Brisbane
August 1998

endeavour, there was nothing in the findings of the Fitzgerald Inquiry to suggest that Lewis had blackmailed, or had proposed to blackmail, anyone; nor was there any finding that he had accumulated documents for that purpose.

The particular documents claimed by the *Courier-Mail* to be documents held by Lewis for blackmail purposes were identified during Project Triton, and the creation of those documents has been investigated. It was conceded by Counsel for the *Courier-Mail*, and I find, that there is no evidence that such documents ever came to Lewis's attention, much less that he used the documents for the purpose of blackmail.

Snuff movies (Reference 2)

On the basis of the evidence uncovered during Project Triton, I reject absolutely the notions advanced by Mr Bob Bottom on ABC Radio concerning the existence of a 'snuff' movie depicting scenes at Pinkenba.

Other claims advanced by Mr Bottom concerning the alleged failure of police to investigate paedophilia have been demonstrated to be without foundation.

In addition to Mr Bottom's claims, allegations concerning the possible existence of two further 'snuff' movies have been investigated. In each case, it has been established beyond doubt that the allegation was a concoction.

Apparently, no credible first-hand evidence of the existence of a 'snuff' movie has ever been found anywhere in the world. Certainly, no such evidence was discovered by Project Triton.

Allegations made to law enforcement and other agencies in Queensland suggesting the existence of 'snuff' movies have been properly investigated and suggestions that such investigations were aborted or interfered with are baseless.

Past investigations (Reference 3)

Various newspaper articles asserted that from 1989 to 1993 there were systematic and institutionalised impediments to police investigations of paedophilia. My investigations revealed that in every instance such assertions are without foundation.

The evidence adduced during Project Triton provides no reason to suspect that the QPS provided other than all reasonable assistance and support to the pursuit of paedophilia during the relevant period.

The Whitsundays (Reference 4)

The various matters raised by Mrs Bird as the Member for Whitsunday have been fully investigated. There is no basis to suspect that police have protected paedophiles from detection and punishment.

Mrs Bird cooperated fully with my investigation. From the outset of Project Triton, she acknowledged the 'preposterous' nature of some of her information, and the likelihood that some matters would be difficult to substantiate. One cannot criticise her for passing on information given to her by her constituents. This was part of her responsibilities as a Member of Parliament.

Chapter 4: The Whitsundays (Reference 4)

4. That since the early 1990s in the Whitsunday area, police have protected paedophiles from detection and punishment.

The allegations

This reference had its origin in certain remarks made by Mrs Lorraine Bird MLA, the then Member for Whitsunday.

On 18 August 1997, Mrs Bird was interviewed on ABC Radio by journalist Anna Reynolds. During the course of the interview, Mrs Bird confirmed having passed to the Children's Commissioner, Mr Alford, allegations of paedophilia that had been raised with her in her constituency, and about which she suspected local police had protected paedophiles from detection and punishment.

No transcript is available of Mrs Bird's comments on ABC Radio. However, in the days following her radio interview, several newspapers published articles purporting to summarise Mrs Bird's statements, and directly quote her. A table of those articles, identifying relevant extracts, was prepared.

By way of summary, Mrs Bird was reported as alleging, among other things:

- That she had evidence of a range of paedophilia-related activities in the Whitsunday resort area, and that she suspected police had protected the racket since the early 1990s.
- That she had information from social workers that street children as young as 10 were offered money to pose for photographs and were being taken to island resorts for the sexual pleasure of tourists.
- That she had given information to local police in the early 1990s, but was told that the evidence could harm an ongoing inquiry, which she later discovered was non-existent.
- That the QPS and CJC had previously refused to investigate secret files.

On 20 August 1997, the Children's Commissioner was interviewed on ABC Radio by journalist Anna Reynolds. The following exchange occurred during the course of the interview:

- | | |
|----------|---|
| Reynolds | ... do you think that there is actually – that there is inaction because of corruption at the moment? |
| Alford | I have had one allegation to that effect. |
| Reynolds | And is that in the south-east corner? |
| Alford | No. |
| Reynolds | It's in another region of Queensland? |
| Alford | Yes. |

A short time after Mrs Bird's interview was broadcast, Superintendent Robert Retrot (District Officer of the Mackay Police District) conducted a telephone interview with Mrs Bird.

On 19 and 20 August 1997, officers of the Professional Standards Unit of the QPS conducted interviews with Mrs Bird and the Children's Commissioner.

By letter of 28 August 1997, the Children's Commissioner formally referred Mrs Bird's allegations to the CJC. The relevant part of that letter reads:

Allegations by Member for Whitsunday:

Lorraine Bird, MLA has alleged police inaction regarding allegations of paedophile activity in the Whitsunday area. These centred on the activities of a now deceased paedophile named Theo Brown and his associates. No doubt you will be seeking information direct from Ms Bird in relation to her allegations of police inaction.

Shortly after receiving this letter, the Chairperson of the CJC had a conversation with Mr Alford, and Mr Alford provided some further particulars of the information proffered to him by Mrs Bird.

By letter of 2 September 1997, Mrs Bird's solicitors, Messrs Carne & Herd, forwarded to police a short statement prepared by Mrs Bird.

To identify and refine Mrs Bird's concerns, as conveyed in these various forms, accurately, Project Triton personnel travelled to Proserpine and interviewed Mrs Bird on 22 December 1997. As a result of the matters raised by Mrs Bird during that interview, the following select matters were identified as requiring examination by Project Triton:

- A telephone call said to have been made to Mrs Bird by Superintendent Loveridge on 14 or 15 November 1991.
- The handling by police officers of an investigation in respect of Theo Watts Brown.
- An allegation of an organised trade involving the importation of Filipino children to Whitsunday island resorts for the sexual pleasure of adults.
- An allegation that street children in Mackay had been recruited for indecent purposes.
- Various additional matters or complaints requiring individual investigation.

I propose to address each of the above matters separately.

It will be noted that I have not listed Mrs Bird's allegation that the QPS and CJC had previously refused to investigate 'secret files' — that is because the 'secret files' to which Mrs Bird referred were matters which touch upon Theo Watts Brown.

Telephone call from Loveridge

On 14 November 1991, an article was published in the *Whitsunday Times* featuring Mrs Bird's concerns regarding alleged child sexual abuse within the Whitsundays. (A copy of the article became Exhibit 57 in the proceedings before me.) The article reads in part:

Child abuse comes to light

Concerns over child sex abuse were more prominent from Proserpine than anywhere else in Whitsunday electorates, Member for Whitsunday Lorraine Bird said.

However Mrs Bird said last week that most people who had contacted her initially now seemed reluctant to pursue their complaints.

She said initial complaints and concerns from the Airlie-Cannonvale area had numbered around 10. Some had complained more than once.

'Since we've gone public, the feedback is not coming back from Airlie,' Mrs Bird said.

'In the last week we've had to sort out the genuines from the kooks. You always get the kooks.

'I think it's having a detrimental effect on this family-based tourism area and I think it should stop now.'

She said people could be wary of speaking out on moral issues and they question their own integrity.

According to Mrs Bird, on the day after the publication of this article, or the following day, she received a telephone call from then Superintendent Bob Loveridge, the District Officer of the Mackay Police District, advising her that her public comments had interfered with a current police

operation and strongly requesting her to cease her public statements.

In her written statement of 1 September 1997 (also part of Exhibit 57), Mrs Bird said:

During October and early November 1991 I received several anonymous complaints concerning:

1. film being made on a remote beach with young dark-skinned, naked boys posing in 'a seductive way';
2. paedophile activities in the Proserpine-Whitsunday region.

As the information was coming to my office anonymously, I made an appeal on radio and in newspapers for people to come forward. Within 24 hours I received a telephone call from Superintendent Bob Loveridge in Mackay who was quite curt and told me that he had been advised by the 'boys at Cannonvale' that I had interfered and destroyed a police operation.

He then strongly requested that I make no further comment.

I immediately contacted Cannonvale Police and apologised to Officer in Charge Sergeant Hodgson who confirmed Sgt Loveridge's claims that his detectives had complained of disruption to an operation.

In 1992 when I became a member of the Parliamentary Criminal Justice Committee, I inquired as to the results of the operation. Some weeks later I was advised that there did not appear to be any operation at the time of my press release.

During her interview with Project Triton personnel, Mrs Bird confirmed the information contained in her statement. However, she denied that Superintendent Loveridge had been curt, saying, 'in retrospect I realise now he was telling me in a nice way to back off.'

Aspinall Can you just tell us how he started off the conversation, to the best of your memory, how it just---?

Bird I mean it was, the phone call was made to advise me, for that purpose, to advise me that he'd just received a phone call from the boys in Cannonvale who had told him that I'd interfered, that press statement of mine, had been interfering with whatever they were doing, the project that they were doing.

Pearce Was it a project or an investigation?

Bird An investigation, operation.

Pearce Investigation?

Bird I think he said an operation.

...

Pearce Just as the tape cut off you were, I asked you whether or not you would know whether Mr Loveridge would be intending to be curt with you and you said he wasn't curt?

Bird No, no he wasn't. He was telling me in an advisory capacity and I took it that way that, and in fact I was very apologetic. I mean it occurred to me that I had interfered with something very important and probably done some damage to that and I was fairly embarrassed by that.

Pearce So he was speaking to you as if, you like, an acquaintance whom you knew, and he was simply telling you in friendly---

Bird Yeah.

Pearce in a friendly way---

Bird Yes.

Pearce --- 'look, you may have interfered with this investigation'.

Bird Yeah, yeah.

...

Pearce It's not the case that he was on the phone sounding aggressive or ---
 Bird No.
 Pearce --- expressing his displeasure at what you'd done?
 Bird No. I mean in retrospect, I realise now he was telling me in a nice way to back off.
 Pearce And that's the way you took it?
 Bird And I told him that I won't make any further statement.

Mrs Bird told Project Triton that after becoming a member of the Parliamentary Criminal Justice Committee following the 1992 general election, she approached CJC Executive Director Graham Brighton to seek information concerning the police operation spoken about by Loveridge. She was informed by Mr Brighton that there appeared not to have been any such operation.

Mr Brighton was interviewed on 27 January 1998. For his part, he did not recall the events described by Mrs Bird, although he did not deny the possibility that conversations of the type described by Mrs Bird may have occurred.

Whether or not her conversations were with Mr Brighton or some other party, the investigations conducted by Project Triton have confirmed that Mr Loveridge did speak with Mrs Bird to the effect described by her, and that a police operation of the type described by Loveridge to Mrs Bird was in fact being conducted at the time.

Mr Loveridge (now retired) was initially interviewed about this matter on 15 September 1997, and former Senior Sergeant Hodgson (formerly the Officer in Charge of Cannonvale Police Station) was interviewed on 22 September 1997. Both men accepted Mrs Bird's account of the matter, but neither could recall with precision the nature of the investigation being conducted at the time.

Inquiries subsequently undertaken by Project Triton confirmed that, as at November 1991, four detectives worked out of the CIB at Cannonvale. Those officers were Detectives Featherstone (who was acting as Officer in Charge), Costello, Shillington, and Paterson. Of those officers, Featherstone, Costello and Shillington were unable to recall any investigation fitting the known circumstances.

However, after consulting his police diary, Detective Paterson confirmed that as at 13 November 1991 — that is, the day immediately before the newspaper article — he had commenced an investigation concerning general allegations of paedophilia. The police file on that investigation was obtained by Project Triton and it is apparent that the investigation is of the type apparently referred to by Loveridge in his telephone call to Mrs Bird.

The police file was shown to Featherstone and Loveridge, neither of whom was prepared to state with certainty that this was the matter which prompted Loveridge's call to Mrs Bird.

However, on 28 January 1998, Project Triton personnel interviewed Inspector Paul Wilson who, as at November 1991, was the officer in charge of the Mackay CIB, and had formerly been the Officer in Charge of the Cannonvale CIB. Upon being shown Paterson's investigation report, Wilson said that he could recall speaking with Loveridge about Mrs Bird's public comments. He also confirmed that he had advised Loveridge to contact Mrs Bird and suggest that her comments might harm Paterson's investigation.

There is no doubt that Superintendent Loveridge telephoned Mrs Bird in November 1991 and suggested that she refrain from public comment on matters then the subject of investigation. Whatever his telephone demeanour at the time, in my opinion, no basis has been shown to question Loveridge's conduct, much less to suspect that his conduct demonstrated an attempt to protect acts of paedophilia.

Theo Watts Brown

Matters relevant to the alleged activities of Theo Watts Brown have previously been considered by the CJC — as recently as 25 August 1997. The CJC file on this matter details past efforts of the QPS to investigate complaints regarding Brown's alleged improper conduct with juveniles.

According to the CJC file, Brown was born on 11 October 1934. At the relevant times, Brown described himself as the Director of the Australian Division of the 'World Life Research Institute'.

On 1 February 1993, Brown was arrested at Mackay and extradited to New South Wales to face charges relating to alleged sexual offences involving a 12-year-old-boy. The offences had allegedly been committed some 10 years previously. While in Grafton Prison awaiting the bringing of an application for bail, Brown slashed his wrists.

Brown was later granted bail and travelled home to the Mackay district. Before returning to New South Wales to attend court proceedings on 25 February 1993, he learned that further disclosures had been made in that State alleging acts of sexual molestation by him. On the evening of 24 February 1993, he cancelled his travel arrangements to return to New South Wales, and shortly afterwards drove his motor vehicle at high speed into a tree, killing himself instantly.

Brown had been a constituent of Mrs Bird's. On 23 March 1993, Mrs Bird (then a member of the Parliamentary Criminal Justice Committee) contacted the Director of the CJC's Official Misconduct Division regarding the alleged paedophile activities of Brown. Mrs Bird's concerns and the CJC's response to those matters are recorded on the CJC file.

It is apparent that Brown's activities had been the subject of QPS investigations from as early as 1989. Details of one of those investigations — conducted by Detective Sergeant Garnet Dickson — are contained on the CJC file. An earlier investigation, conducted by officers of the Mackay JAB in October 1989, was also identified.

During the interview with Project Triton personnel on 22 December 1997, Mrs Bird was asked to clarify her concerns about the Theo Brown issue. The following extract is taken from the transcript of that interview:

- | | |
|----------|--|
| Aspinall | Can you just tell us what your concerns are in relation to that matter there? |
| Bird | Well my concerns with Theo Watts Brown was that Theo Watts Brown um was well when he was killed um the police went to his unit and ah they found boxes and boxes of papers. Um the only papers that were taken away by the police were photographs um and the things that Col Wilson took. Um but the rest was dumped. Now I'm not s' or burnt, I'm not sure what the relatives did with it, where they dumped it, but it's probably ah y'know the question needs to be asked why didn't they go through them. |
| Pearce | Perhaps I can just summarise, your concern is that this man who was suspected at least of being involved in sexual--- |
| Bird | He was on charges at the time. |
| Pearce | And on charges, um when he died, a great um wealth of material that might've had some intelligence value if nothing more, should've been kept by the police but was handed over to the journalist and otherwise lost. Is that your concern in a nutshell? |
| Bird | Yes but those concerns don't come out of my viewing those boxes, my concerns came out of a whole series of ABC stories on that, that occurred at that time on Theo Watts Brown and um ah Col Wilson's involvement in the whole thing. |
| Pearce | All right I think we understand that. Is there anything else you wanted to know about? |
| Bird | But I mean it really is curious to me as to why someone didn't go through that information or at least take it away. |
| Aspinall | You supplied a briefcase with some documentation ah which I understand you got from Colin Wilson, and he in turn got it from Theo Brown's place of residence. You |

-
- handed that on to I think Mr Alford did you?
- Bird Mm
- ...
- Pearce Did you have any reason to believe when he was alive that the police were covering up for his activities or is your concern limited just to their their disinterest, if you like, in the events after his death?
- Bird Well I mean I just can't understand how he was b' he was being charged in the south and yet nothing was happening locally, nothing.
- ...
- Pearce But your concern as I understand it stems from what they did or didn't do after his death with all of this?
- Bird Yeah.

It was possible therefore, to confine Mrs Bird's concerns to two issues, namely:

- Concern that police did not take possession of Brown's personal property after his death in order to follow-up any suspected paedophilia information that it may have been contained.
- Concern that although Brown had been charged in New South Wales, no action had been taken against him in Queensland.

Brown's personal property

The background to Mrs Bird's concern stems from the fact that, following Brown's suicide, his personal property, including a briefcase containing address books and the like, was not seized by police.

In fact, the briefcase of documents found its way into the hands of an ABC journalist, Colin Wilson, who later gave them to Mrs Bird. In turn, Mrs Bird delivered the documents to the Children's Commissioner.

On 28 August 1997, Brown's briefcase was delivered to Project Triton so that the contents might be photocopied. A list of the contents was then prepared (and was tendered as part of Exhibit 51).

A study of the contents of the briefcase reveals nothing suspicious. The fact that Brown's address book contains numerous names and addresses does not, of itself, give rise to any particular suspicion about any person named therein. (This matter is addressed in further detail later in this chapter.)

The evidence before me on this issue indicates that police officers understood that the title to Mr Brown's personal possessions had passed to his landlord in lieu of outstanding rental. In any event, it is doubtful that police officers would have had any lawful authority to seize any of Brown's possessions after his death.

Action taken by Queensland Police

The fact of the matter is that the QPS was active in its investigations of Brown. The fact that no charges were brought against him in Queensland was due to lack of evidence. In this regard, it is of note that the proceedings ultimately brought against Brown in New South Wales were for conduct alleged to have been committed by him 10 years previously. Such passage of time is itself demonstrative of the difficulties faced by those investigating complaints of this nature.

Filipino (and dark-skinned) children

During the interview of 22 December 1997, two apparently distinct allegations were made by Mrs Bird concerning the sexual abuse of Filipino children.

An incident on Hamilton Island

Mrs Bird provided information, said to have been communicated to her by members of the Filipino community at Mackay, concerning an unnamed Australian man who had allegedly arranged for a young Filipino boy to holiday at Hamilton Island, where he was sexually abused.

Most stories have their origin in something. Police records confirm that there was in fact a boy abused at Hamilton Island, but he was not a Filipino. (I shall deal with this later.)

However, to proceed — Mrs Bird said she was told that the Australian man convinced the boy's Filipino parents to allow their son to holiday in Australia. Upon his return to the Philippines, the boy's parents took him to a doctor, who established not only that the boy had been sexually abused, but had already received medical attention in Australia for injuries sustained as a result of the sexual abuse.

According to Mrs Bird, the Filipino relatives of the abused boy did not make any formal complaint. Mrs Bird referred Project Triton to a Filipino lady named 'Rosa', who Mrs Bird suggested might be able to assist with any investigation of the matter. All efforts to locate 'Rosa' were unsuccessful.

On the information presently available, and accepting that the incident described by Mrs Bird had in fact occurred, there is no basis to suspect that the alleged conduct was other than an isolated event, nor — given that no offence was reported — that there was any failure by police officers to investigate the matter.

Dark-skinned boys

Mrs Bird said she had no further information concerning Filipino children, beyond what she had been told by fishermen working the Whitsunday waters who alleged to her that dark-skinned boys (possibly Filipino) had posed for photographs and films made on beaches on the Whitsunday islands.

Mrs Bird said she had received the information from at least three local fishermen. She provided a physical description of one fisherman, who she said was employed by Mr Alan Bauer of Bowen. According to Mrs Bird, she met the unnamed fisherman at a fishing industry meeting attended by then Deputy Premier Tom Burns, in the Bowen Emergency Hall. (Mrs Bird said she had also spoken to a second fisherman from Bowen, but could not give a description of the person, other than to say that he was a bigger man than the former.) During the interview, Mrs Bird was asked the following:

- | | |
|--------|--|
| Pearce | Can you recall as best you can what that fisherman said to you that day? |
| Bird | No, the only thing I can remember was I'd come away from him thinking from our conversation that there were children available on boats or being used on boats and yachts for sexual purposes. |
| Pearce | What sort of children, Australian children or foreign children? |
| | Bird Well dark-skinned but they may well have been very sunburnt. Very tanned. |

Mrs Bird also identified one of the fishermen as 'R4-A' of Sarina. She said she had spoken to R4-A over the telephone where R4-A confirmed to her that the conduct alleged (by the other fishermen) had been 'going on for bloody years.'

Efforts to locate the Bowen fishermen were unsuccessful. When Mr Bauer (the proprietor of Bowen Fishermans Seafood Co. Pty Ltd) was interviewed, he recalled the fishing industry meeting about

which Mrs Bird had spoken. However, he indicated that very few fishermen who attended the meeting fitted the description given by Mrs Bird and that no-one employed by him fitted the description. Mr Bauer added that one fisherman in the employ of his son might match the description; however, that fisherman, who *did* generally match the description provided by Mrs Bird, was subsequently interviewed and denied having ever spoken to Mrs Bird.

Furthermore, Mr Bauer, who has been involved in the fishing industry at Bowen for the past 40 years, claimed never to have heard allegations of the type raised by Mrs Bird.

R4-A was interviewed on 20 January 1998. He acknowledged having discussed paedophilia-related issues with Mrs Bird, but claimed to have no knowledge or evidence of children posing for photographs or films on beaches, nor of children being available on boats or yachts for sexual purposes.

In addition to the three local fishermen, Mrs Bird referred Project Triton to a former fisherman at Port Douglas, who had contacted Mrs Bird claiming to have been sacked for 'not cooperating' in the Filipino children racket. This person has been code-numbered 'R4-B'.

R4-B was interviewed by telephone on 3 February 1998. It was readily apparent from the information he gave during that interview that he did not have any information relevant to this investigation.

It follows, therefore, that no information has been identified which supports the allegations said to have been made to Mrs Bird concerning offences against Filipino (or dark-skinned) children. Furthermore, during the course of her interview with Project Triton personnel, Mrs Bird herself readily acknowledged that both allegations 'seemed preposterous'.

Street children

Mrs Bird acknowledged having made public statements alleging that street children as young as 10 years have been taken to the Whitsunday island resorts for sexual purposes.

She advised Project Triton that this information came to her attention when she was working as a volunteer with female counsellors at a community-based organisation (code-numbered 'R4-C') at North Mackay. The information predates the newspaper article of 14 November 1991.

Mrs Bird suggested that Project Triton would be assisted by contacting two particular counsellors, whom she was subsequently able to identify. One of the counsellors identified by Mrs Bird was 'R4-D' and the other 'R4-E'.

R4-D has been interviewed by telephone and is unable to further Mrs Bird's allegations. She said that she had not had conversations with any youth concerning paedophilia, nor does she possess information suggestive of police inaction in paedophilia investigations.

'R4-E', and was also interviewed by telephone. She had no evidence of organised paedophilia, and claimed that the instances of child abuse she encountered were generally the result of a dysfunctional family environment. Furthermore, she did not believe that police had been inactive in their investigations.

In addition to this information, Mrs Bird directed Project Triton to 'R4-G', the former manager of a community-based organisation at Cannonvale (code-numbered 'R4-F'), whom she believed may have spoken about issues of paedophilia. R4-G was interviewed by telephone and did not support Mrs Bird's allegation.

Mrs Bird also suggested that 'R4-H', who worked arranging crisis accommodation at Cannonvale, might have been present at a meeting of the R4-F organisation when relevant matters had been disclosed, and that R4-H might therefore be able to assist.

R4-H had already been interviewed by Project Triton personnel on 20 November 1997. At that

time, she said that she had heard many rumours concerning alleged paedophilia in the Whitsunday-Mackay areas, but had no evidence that would support those rumours. She also said that it was her belief that paedophilia did exist in the district, just as it existed in other areas of Australia. She also said that she had no evidence of inaction or cover-up by police officers investigating paedophilia allegations in the Whitsunday area.

R4-H was interviewed again, by telephone, on 29 January 1998. She claimed to have no specific recollection of discussions regarding children going to the Whitsunday islands for the sexual pleasure of tourists.

Finally on the issue of street children, Mrs Bird referred Project Triton to information she had recently received from a lady who cleans public toilets at Airlic Beach, to the effect that messages had been left on the walls of the public toilets seeking children. That lady ('R4-K') was subsequently identified and was interviewed by telephone on 23 January 1998. She confirmed the information provided by Mrs Bird of writing appearing on the walls of public toilets at Airlic Beach. Significantly, however, there was no suggestion from her of any inaction by police officers in investigations of any of the matters to which she referred.

Additional matters raised by Mrs Bird

A number of further allegations have been made by Mrs Bird, relating to more specific offences or issues.

The Lindeman Island incident

During the course of the interview of 22 December 1997, Mrs Bird referred to information given to her regarding a police investigation conducted in the mid-1980s into the activities of a person on Lindeman Island.

Well I was told by a taxi driver who ... used to pick me up from the airport who's now not working for that company, Black and White Taxis in Brisbane, that, John his name was. John told me that when he was either managing or supervising on Lindeman Island that there had been a raid done of a young fellow who used to do child minding on the Island and certain information came out of that as well as many photographs and that a deal was done between the management and the police as to the fact that as long as the guy got off the Island in a way there'd be no publicity.

Inquiries identified the taxi driver referred to by Mrs Bird as 'R4-L', a resident of Redcliffe. He was interviewed by telephone on 3 February 1998, at which time he confirmed having given Mrs Bird information of the type referred to by her. He also identified former Detective Senior Sergeant Graham Leadbetter as the police officer who had told him of the matters alleged by Mrs Bird.

On 4 February 1998, telephone interviews were conducted with Leadbetter and Inspector Gary Binding, who, with Leadbetter, had been involved in the relevant investigation. Both Leadbetter and Binding proffered an account of the investigation which makes it clear that no evidence had been gathered during the investigation to implicate any person in offences involving paedophilia.

I have found repeatedly in this investigation that a rumour or urban myth has its origin in some happening which has been subsequently adapted and expanded and changed. Take this Lindeman Island rumour:

Leadbetter and members of the Drug Squad had been in the Proserpine area. What in fact occurred was summarised in the evidence of Detective Inspector Aspinall, one of the Project Triton investigators. The following is an extract from Inspector Aspinall's evidence on the point.

Whilst they were there the then officer in charge of the Proserpine CIB, now Inspector Binding, received information from National Parks officers who were on Lindeman Island ... for the purpose of culling wild goats. Whilst they were on the island they came across a camp site away from the resort, and there were a number of small marijuana plants growing in the vicinity of this camp site, about half

a dozen or so. They subsequently notified Binding. Binding and Leadbetter then travelled by boat to Lindeman Island, took up with the manager there, and they were shown where the camp site was. They also took up with the National Parks people there. They eventually located a chap who was on the island. At that stage, Your Honour, you may recall that Lindeman Island was being promoted as the family island. It was owned by P & O Lines at that time, and the idea was that husbands and wives could go up there and have time, and they could leave their children with a child minding service that had been developed up there, and that was apparently fairly unique for that area at that time. This chap was with the child minding service, and he had this camp which was away from the resort, and he would take the kids for a couple of days, and they would go swimming and hiking and whatever across Lindeman Island and, of course, it was established that he had been growing these marijuana plants. They subsequently located him, interviewed him and subsequently charged him with cultivation of these marijuana plants. The island, itself, didn't particularly want it to be known that the police had been on there and taken away their child minding person. He was due to be taken out on the normal flight from Lindeman Island back to Proserpine. The then manager asked if they wouldn't mind not going on that flight, and that he would organise a charter flight for them to be taken across to the mainland. That subsequently occurred. He was taken back on a separate charter flight, back to Proserpine, subsequently processed and appeared before the Bowen Magistrates Court.

On drug offences?-----On drug offences only.

Is there any aspect of this where possible offences against children arose?-----No. It was never ever suggested that this chap was in any way involved with anything improper in that regard. The police conducted a thorough search of his camp site and his premises on the resort, itself. They located some photographs of him with the groups of children that he used to mind.

Yes?----- Nothing improper about them whatsoever, just ordinary photographs.

Holiday snaps?-----Holiday-type snaps, yes. Nothing of any impropriety whatsoever.

It is obvious that this is the origin of the taxi driver's story to Mrs Bird.

The Mackay Man

Mrs Bird claimed to have received anonymous information alleging that a Mackay man, code-numbered 'R4-M', was committing sexual offences against children. Mrs Bird's information suggested that he could be involved in the taking and developing of pornographic photographs.

Mrs Bird first raised these allegations with Counsel Assisting during an interview conducted on 24 November 1997. Mrs Bird said that she personally knew R4-M and harboured no suspicions about him.

On the basis of the material provided by Mrs Bird, there is limited scope to investigate. Nonetheless, inquiries did reveal that in 1991, while detectives attached to the Mackay JAB were investigating another person, they had cause to conduct an unannounced search of R4-M's residence and place of work. The search revealed no evidence of pornographic material. Sergeant Gary Langford, who was involved in that investigation, verified to Project Triton that no pornographic material was found during those searches.

The Proserpine Man

During the course of the interview of 22 December 1997, Mrs Bird relayed information concerning a then recently deceased Proserpine resident.

It was alleged by Mrs Bird that this person attempted to take advantage of disabled young females. He had previously sent a letter to a young disabled woman who had worked as an electorate officer in Mrs Bird's electorate office.

Mrs Bird did not suggest that this person was a paedophile, merely that he followed young disabled women.

Project Triton has recovered an extract of the file held by police at Proserpine in relation to an investigation into the man's alleged activities. The investigation concerns the correspondence sent by the man to Mrs Bird's staff member. The file demonstrates that the investigation was thorough.

Operation Firefighter

During the interview of 22 December 1997, Mrs Bird said she had received an anonymous telephone call alleging a cover-up of the police investigation named Operation Firefighter.

The conduct of Operation Firefighter was investigated as part of Reference 3 of the work of Project Triton and my conclusions on that matter are to be found in chapter 3.

Mrs Bird's response to Project Triton

On 4 February 1998, a draft of a report prepared by Project Triton investigators of the investigation to that date was given to Mrs Bird, together with a copy of relevant exhibits. Mrs Bird was invited to read the draft report so as to ensure that her various concerns had been accurately identified and appropriately investigated.

A copy of the draft report in the form in which it was provided to Mrs Bird on 4 February 1998 was later tendered as an exhibit in the proceedings before me (Exhibit 51).

Having considered that draft report, Mrs Bird requested that two areas receive further consideration:

- The apparent failure by police to inspect personal belongings of Theo Watts Brown.
- That an examination be made of the security systems in place on the various Whitsunday islands.

Other than these two issues, Mrs Bird acknowledged that her complaints had been identified 'quite clearly' and that the investigation had been 'very thorough'.

Failure to inspect Brown's personal property

I have previously made some mention of this issue.

During the interview of 4 February 1998, Mrs Bird again expressed her concern over the apparent failure of police to secure the personal belongings of alleged paedophile Theo Watts Brown following his suicide on 24 February 1993. Mrs Bird suggested that such belongings may have included 'documents that may well have indicated some intelligence for other existing operations.'

A search of QPS records reveals that Brown's residence was searched, with his consent, on 1 February 1993 — that is, only three weeks before his death.

As part of Reference 5, I have been obliged to review and consider all previous complaints that have come before the CJC involving allegations of sexual offences against children. One of those complaints involved Mrs Bird's previous complaint concerning Brown. Upon considering that matter, I came upon a report by Detective Sergeant Harth, dated 18 February 1993. This report details how Brown was arrested on 1 February 1993 by a warrant issued in the first instance in New South Wales. Brown then consented to his premises being searched and during that search, some articles were taken away by Detective Dickerson of Parramatta Detectives.

As Brown was being taken away by New South Wales detectives in relation to sexual activities with a young boy, it can be taken for granted that if anything had turned up in the search suggesting that Brown had been improperly concerned with young children in Queensland, it would have been quickly brought to the attention of the QPS.

Additionally, as a result of interviews conducted with police officers involved in the investigation of

Brown's alleged paedophile activities, it has been ascertained that Brown's premises were searched again on 24 February 1993, following his death. It transpires that Sergeant Dan Graham, Officer in Charge of the Marion Police Station, was investigating the road incident in which Brown was killed. A summary prepared by Inspector Aspinall of an interview conducted by him with Sergeant Graham includes the following passage:

[Sgt Graham] claimed that he believed that, because of the circumstances of the matter, the car crash was not an accident but was suicide. As a result, he went with Mr 'S' who owned the premises Brown rented and conducted a search of it to locate a suicide note. He did not find one nor did he find anything amongst his belongings which would indicate that Brown was a paedophile. He was concerned about his authority to search Brown's property, and acknowledges that the search was not thorough. The premises were locked up and arrangements made for relatives to travel to Mackay to deal with his belongings.

[Graham] advised that Brown's sister was contacted in NSW and advised and she came to Mackay. [Graham] picked her up from the airport and drove her to Brown's residence and inspected his belongings, which would have had minimal value. Again, no improper materials were located amongst his belongings. [Brown's] sister advised that Brown's family did not want the belongings so she relinquished title of it to the 'S's' to do what they wanted with it. Brown owed money to the 'S's'. [Graham] advised that [Brown's] sister was aware that Brown had been charged with child sexual offences and, as a result, she gave the impression that she did not want anything to do with the belongings. [Graham] then returned her to the Mackay airport for her return to NSW.

On the night of the accident, [Graham] sent messages to the Mackay CIB, Detective Sergeant Peter Shields at the Brisbane CIB and Detective Dickerson at the Parramatta Detectives advising them of Brown's death and offering to give any assistance they might require. However, he did not hear back from any person.

[Graham] claimed that since Brown had died, and with the media attention given to his past, no person had come forward in that area claiming to have been sexually abused by Brown.

This would appear to satisfy Mrs Bird's concern over the handling of the Theo Watts Brown issue.

Security systems on the Whitsunday Islands

In response to the concerns expressed by Mrs Bird on 4 February 1998, Mr Pearce proceeded to the Whitsunday area, where, on 12 February 1998 he attended at the office of the Whitsunday Visitors and Convention Bureau at Airlie Beach. He conducted interviews there with the general managers of some of the resorts in the Whitsunday Passage, including:

- Mr Simon McGrath, Assistant General Manager, Hamilton Island.
- Mr Kevin Collins, General Manager, Coral Sea Resort, Airlie Beach (formerly General Manager of South Molle Island Resort).
- Mr Rodger Powell, General Manager, Whitsunday Visitors and Convention Bureau (formerly Resident Manager of Daydream Island Travelodge Resort).
- Mr Chris Robson, Resort Manager, Long Island Resort (formerly Resort Manager of Club Crocodile Resort, Cannonvale).

The men were interviewed individually, then collectively. Transcripts were tendered into evidence before me.

These men, who possess considerable experience within the tourism industry in general, and the Whitsundays in particular, were able to give first-hand accounts of the present and past management and security operations of Whitsunday island resorts.

Although the resorts on Hayman Island and Lindeman Island were not represented, it was suggested, and I accept, that the principles identified would have equal application to both Hayman Island and Lindeman Island.

Issues identified at interview

The following matters were identified by the general managers as indicative of the security systems — both formal and informal — operating on island tourist resorts. I express no opinion as to these matters.

Whether or not a particular island resort has tight security systems does not determine one way or another if there has been an organised trade in paedophilia, nor does it answer speculation that such paedophilia has been protected by police officers. As a matter of logic, however, the tighter the security systems, the less likely it would be that paedophilia could flourish unnoticed.

I merely report these matters so that it can be demonstrated that Mrs Bird's concerns were acted upon.

Loss of personal privacy. The nature of daily business on an island resort necessarily results in a significant loss of privacy for staff members and resort guests alike. Staff and guest accommodation is regularly visited, inspected and cleaned by resort staff.

Invariably, any untoward or unusual conduct on the part of guests or staff is quickly reported to management and/or otherwise becomes the stuff of rumour and speculation among staff. (As an example, it was suggested that homosexual couples are quickly exposed by staff, as is other 'unusual' sexual behaviour.) Management relies upon such interaction as a valuable management/security tool.

It was contended that the behaviour of staff and guests was generally subject to strict control on mainland hotels and resorts, and that such controls were stronger in the case of island resorts, where there is a greater control over access. Further, guests can simply be removed from an island if management deems their conduct unacceptable, without reference to any such concept as 'natural justice'.

In the case of resort staff, there is invariably a strict vetting procedure employed to ensure that staff enjoy a respectable background. Misbehaviour by staff members is dealt swift sanction, and the sacking of a staff member is notified to management of other island resorts.

Strict control of access to Island resorts. Entry to island resorts is strictly monitored, with all staff and guests registered with management. In the case of Hamilton Island, which operates a relatively busy airport, all people staying on the island are registered with management, as all staff and guest accommodation is controlled by resort management. Furthermore, in the case of private dwellings, it is Island policy that all permanent residents are registered and are also required to register any private visitor.

It was suggested that any organised paedophilia would be easily detected because of the fact that holidays are almost invariably 'packaged', with guests carrying prepaid vouchers. A 'pattern' of unusual holiday packages (i.e. single adult males with children) would quickly draw suspicion, as would the payment of accounts by alternative means, such as large cash sums.

Rarity of visits by adult males in the company of children. It is rare — although not unknown — for single adult males with children to visit an island resort. This will usually occur when an estranged father has access to his children and takes them on an island vacation. No instance was recalled of a Caucasian adult male in the company of Asian children.

Security operations. The island resorts employ full-time security officers. The number and qualifications of security officers vary according to the size of the resort.

It was suggested that the degree of security employed by an island is proportionate to the business enjoyed by that resort. In other words, experience has shown that Island guests prefer resorts offering higher levels of security.

There is also a fair proportion of turnover among security staff. This has the indirect effect of making more difficult the establishment and maintenance of any corrupt system in security.

Close liaison with QPS. All island resorts recognise it as essential that they maintain a close liaison with police at Cannonvale.

Misconduct of staff and/or guests is never tolerated and, where appropriate, is immediately reported to police. Police have previously taken action in respect of child exploitation. (See below.)

Commercial unreality. The notion that paedophilia would, if detected, go unreported, was rejected as illogical, not only because it is unlikely that management would put at risk the various statutory licences and permits required to operate in the business, but because such conduct would have a detrimental commercial effect.

All Whitsunday resorts are traditionally marketed as family destinations. Any suggestion that a particular resort was ignoring or encouraging paedophilia would be immediately known throughout the tourist industry and would be commercially devastating to the resort involved.

It was pointed out that this fact was recognised by Mrs Bird herself, as was reported in the newspaper article of 14 November 1991, wherein Mrs Bird was quoted:

I think it's [i.e. concerns over child sex abuse] having a detrimental effect on this family-based tourism area and I think it should stop now.

Previous action by police in respect of child sex offenders. Mention was made of police taking action in respect of the sexual exploitation of a child on Hamilton Island in 1988. This investigation had already been identified to Project Triton by Inspector Wilson. I propose to refer to it in some detail.

In 1988, Inspector Paul Wilson, then the Detective Sergeant in charge of the Whitsunday CIB, arrested three males for sexual assaults on a male juvenile. The three males were, 'F' (the father of the complainant child), 'T', and Hugh Wallace McDermott.

At the time of his arrest, the accused 'T' was employed on Hamilton Island, and can be said to have had a close professional association with the developer and then owner of Hamilton Island. (I mention this purely to demonstrate that 'T' could be said to have at least some connection to the management of Hamilton Island. It is not the case, nor is it suggested, that the developer and owner had any knowledge of the alleged offences.)

'F' and McDermott were convicted of various of the offences charged and sentenced to periods of imprisonment. There is no criminal history recorded for 'T'.

Inspector Wilson also referred Project Triton to the dozens of investigations and arrests made by the Whitsunday CIB during the mid-1980s as evidence of the falsity of the claim that paedophiles were protected from prosecution.

I accept that this prosecution in particular establishes that police officers not only pursued complaints of sexual misconduct in the Whitsundays, but also arrested and charged an alleged offender who was relatively highly placed in the management of Hamilton Island.

Further matters

There are two further matters that require comment.

On 7 January 1998, Mrs Bird telephoned Mr Pearce claiming to have that day been told by a journalist within her electorate that a particular person (whom Mrs Bird named) was a paedophile. Mrs Bird said that this person had formerly been a resident of Hamilton Island.

I shall refer to the person identified by Mrs Bird as 'R4-N'.

R4-N was in fact then awaiting trial on criminal charges before the District Court at Bowen. The charges included nine counts of indecent dealing with a child under 16 years and a count of attempted anal intercourse.

It is understood that R4-N has since been convicted but may not yet have been sentenced, the proceedings having been adjourned to a date to be fixed pending the psychiatric assessment of R4-N. When R4-N was convicted, a Whitsunday newspaper reported the matter as one in which the CJC had received information from Mrs Bird, but had done nothing.

The offences for which R4-N has been convicted had been committed between 30 September 1996 and 8 March 1997 — somewhere between 10 and 16 months prior to Mrs Bird's contact with the CJC. Furthermore, the offender had been arrested and charged for offences on 23 March 1997 — nine months before Mrs Bird contacted the CJC.

The offences were committed at Proserpine. They involved the sexual assault of a child who had from time to time been in the care of the offender. There is absolutely no suggestion that the offences had been committed as part of any organised paedophilia network, or that any police officer in the Whitsunday area had protected the offender from detection and punishment.

The matter is clearly not relevant to any of the terms of reference, but I make this brief mention of it so that the newspaper report suggesting inaction by the CJC is answered.

Finally, on 19 January 1998, the CJC was telephoned by a resident of Proserpine, who sought to complain about the alleged inaction of police at Whitsunday in investigating a complaint made by his 11-year-old daughter some six months previously. This had been a complaint alleging that she had been sexually assaulted.

I have given the complainant the code number 'R4-O', so that if required, this matter might be identified in the future.

R4-O told the CJC that he had previously spoken with Mrs Bird about the matter and that it was upon her advice that he had contacted the CJC.

The allegation made by R4-O was that police had failed to properly investigate his daughter's complaint. Such an allegation, if established, may amount to misconduct on the part of the police officer/s concerned. Accordingly, the matter will be investigated and shall be considered by me as part of Reference 5.

In this case the alleged offence was committed at Proserpine by a man who was known to the victim. It is not suggested that the conduct alleged was part of any organised network.

Conclusion

I find that the matters alleged by Mrs Bird have been properly investigated and that there is no basis to suspect that, since the early 1990s, in the Whitsunday area, police have protected paedophiles from detection and punishment.

No basis exists to doubt the genuineness of Mrs Bird's sympathy for the victims of paedophilia, nor her concern at the possibility of conduct of that kind. Her reported comments in the newspaper article of 14 November 1991 demonstrate that her interest in these issues is long-standing.

Mrs Bird first took her concerns to the Children's Commissioner. It was more that fact, together with the general (rather than specific) detail of her allegations, which was publicised. This can be contrasted with Mr Bottom's actions in respect of Slade's allegations.

Mrs Bird cooperated fully with Project Triton and attempted to provide all assistance sought by investigators. From the outset of her contact with Project Triton, Mrs Bird acknowledged the

'preposterous' nature of some of her information, and the likelihood that some matters would be difficult to substantiate.

One cannot criticise Mrs Bird for passing on information given to her by her constituents. That was part of her responsibilities as a Member of Parliament. However, the public reporting of such allegations without prior investigation, places the efficacy of any subsequent investigation at risk. The merest suggestion of paedophilia is a matter which, understandably, often attracts immediate public comment and condemnation. Those reporting such matters should take great care that unsubstantiated allegations are not unnecessarily placed into the public arena.

Witnesses/Persons with Leave to Appear

The following witnesses gave sworn evidence before me in respect of Reference 4.

Gilbert John Trant Aspinall	Detective Inspector, CJC Police Group
Russell Alfred Pearce	Executive Legal Officer, CJC

No person sought leave to appear in respect of Reference 4. Mrs Bird was invited to seek leave to appear, but declined that invitation.



Tabled by the Premier
28/5/23

(20)



**Queensland
Government**

Premier of Queensland
and Minister for Trade

August 30, 1998

BEATTIE MEETS WITH MP

Premier Peter Beattie today met with a State Parliamentarian and his solicitor about media reports in which sexual offences were alleged.

Mr Beattie also held discussions with the Independent Member for Nicklin, Peter Wellington, following the meeting with the MLA.

"I have told both the MLA and Mr Wellington that I am committed to taking decisive action on these matters," Mr Beattie said.

"In the meeting with the MLA and his solicitor, I raised a number of issues, including resignation in the interests of himself, his family, and the government.

"That is now a matter for him to consider.

"I understand that, at this time, his position is unchanged, but there will be further discussions.

"In relation to the police, this matter should be resolved as a matter of urgency but I repeat my commitment that there will be no political interference in any investigation, or any decision in relation to charges."

CONTACT: RON WATSON 0416 107 951

MP will not quit over sex claims

Front page article, The Courier-Mail, 31st August 1998, by Peter Morley

Labor MP Bill D'Arcy has refused Premier Peter Beattie's advice that he resign over child sex allegations that threaten the stability of Queensland's minority government.

Mr Beattie, who did not publicly identify Mr D'Arcy told him during a 45-minute meeting yesterday that he should quit Parliament in the interests of himself, his family and the Government.

But D'Arcy - who has not been interviewed by police investigating allegations he abused young girls as a school teacher - refused and strenuously denied the claims.

Later, Mr D'Arcy's solicitor Terry O'Gorman said his client rejected the allegations out of hand and was being urged by his family to "stand and fight" and "not to resign".

Mr D'Arcy, who represents the near Brisbane seat of Woodridge, could not be contacted at his Raby Bay home.

Mr O'Gorman last night criticised Mr Beattie and Nicklin Independent Peter Wellington - whose support keeps Labor in power - over their behaviour since The Courier-Mail reported on Saturday that police expected to charge an MP with serious sexual offences.

Mr Wellington said the MP had a moral obligation to resign if charges were laid against him.

// Mr O'Gorman said he was "significantly disappointed that the Premier would ask my client to resign when he (Mr Beattie) should be out there defending the presumption of innocence". //

He said he would lodge a complaint with the Criminal Justice Commission today about the leaked investigation details.

Police Commissioner Jim O'Sullivan said last night that he had instructed the officer in charge of the investigation to maximise resources so there could be a quick conclusion.

"About a fortnight I hope and then it (investigation) will be done," Mr O'Sullivan said.

The timing would coincide with the resumption of Parliament, when Mr Wellington intends to move a Bill to freeze the MPs superannuation.

Mr Wellington said he was appalled by the allegations that as a school headmaster the MP sexually abused a girl aged 11.

"In these circumstances, if charges are laid this person has a moral responsibility to resign from Parliament so there is a by-election so that the Government can get on with the job," Mr Wellington said

If the MP were found not guilty, he would be entitled to his superannuation and could recontest the seat at the next election, Mr Wellington said.

Mr Beattie and Employment Minister Paul Braddy met Mr D'Arcy and Mr O'Gorman at parliament House.

Later, Mr Beattie referred to "one of the most difficult meetings of my life" and one that was "not easy" for the MP.

Mr Beattie said that if charges were laid, it would be "normal" for an MP to stand down from their official job in

Parliament.

"But whether he remains in Parliament, that is a matter for the individual," Mr Beattie said.

"No Premier can force a Member from Parliament."

Mr Beattie denied suggestions that Labor State secretary Mike Kaiser was being considered as a by-election candidate in Woodridge where Mr D'Arcy has a 13.5% margin.

Mr O'Gorman said Mr Wellington's plan to strip his client of superannuation was dangerous and extreme.

"To propose that a politician should lose his superannuation entitlements based on legislation taking retrospective effect in 1998 and reaching back to supposed events in 1969 in respect of allegations said to relate to a backbencher even before he entered Parliament shows the hysteria surrounding accusations of sexual offences of minors in Queensland," Mr O'Gorman said.

Mr O'Gorman said he would contact Mr O'Sullivan in a bid to "bring the matter to a head".

Mr O'Gorman said the publicity underscored his view that it should be a criminal offence to publish the fact that someone was under investigation until a charge was laid.

Mr D'Arcy, 59, was elected to Parliament in 1972 when he represented Albert. He was defeated in 1974 but returned in 1977 by which time the seat had been renamed Woodridge.

Title Beattie raises pressure on MP to quit.

Author+ LEHMANN, JOHN

Source Courier Mail (59)

Date Issue 01/09/98

Pages 5

Article: PREMIER Peter Beattie increased the pressure on troubled Labor MP Bill D'Arcy to resign yesterday, warning that the Labor Government could be forced to face a fresh state election if he remained in Parliament.

As the impact of the first political crisis to hit his minority government set in, Mr Beattie said he was "more convinced than ever" that it was in Mr D'Arcy's interests to consider standing aside.

Mr D'Arcy, who has represented Woodridge since 1977, strenuously denies allegations that as a school headmaster in 1970 he sexually abused an 11-year-old girl.

In a thinly veiled attempt to seize political control, Opposition Leader Rob Borbidge yesterday accused Mr Beattie of an "act of political treachery" against Mr D'Arcy, saying he had assumed the role of "jury, judge and executioner".

Mr Borbidge said Mr D'Arcy, who has not yet been interviewed by police, should remain in Parliament but abstain from voting if he was charged.

Under such a scenario, the Coalition could form a bloc with One Nation and Gladstone Independent Liz Cunningham to vote down the Government.

Mr Beattie, who again did not name Mr D'Arcy in interviews yesterday, admitted that if the backbencher refused to resign, there were "questions about the future of the Government".

He agreed that if Nicklin Independent Peter Wellington withdrew his support from the Government over the issue, a new state election would be triggered.

He said he doubted Mr Borbidge would be able to form a government if Mr D'Arcy decided to sit on the cross benches as an independent MP.

Mr Beattie said the media coverage of the allegations convinced him that it was in the interests of Mr D'Arcy, his family and the Government for the MP to resign.

He said his concerns were not just for the Government, but were "humanitarian" as Mr D'Arcy was being put through an "excruciatingly painful exercise".

It is believed Labor factional powerbrokers have been persuading Mr D'Arcy to stand aside for the course of the police investigation.

Senior Labor identities are extremely confident the party would retain Woodridge if a by-election were called to replace Mr D'Arcy.

Labor state secretary Mike Kaiser would be favoured to win pre-selection for the seat, held in the 1998 election with a margin of 13.5 percent.

The political crisis erupted at the weekend when The Courier-Mail reported that the police were expected to lay charges in relation to allegations young girls were sexually abused at a school near Beaudesert, south of Brisbane, 28 years ago.

There is evidence one girl became pregnant as a 14-year-old and gave the child up for adoption.

Mr Wellington intends introducing a private member's Bill when Parliament resumes on September 15 to freeze Mr D'Arcy's superannuation.

Mr D'Arcy's lawyer, Terry O'Gorman, accused Mr Wellington of thinking he was "God".

Mr O'Gorman also said he would be asking Attorney-General Matt Foley to take legal action against media outlets, including The Courier-Mail, which named the MP.

Filed by the

Printer

28/5/03



*Filed by the printer**25/5/03***HANSARD 49 HD**

Issue Date 15/09/98

Page 0000002170

Title PRIVATE MEMBERS' STATEMENTS Members of Parliament; Judicial Process

Text Mrs LIZ CUNNINGHAM (Gladstone-IND) (10.28 a.m.): It is with some concern that I raise incidents that occurred over the past weeks which affected members of this House.

Some members of the media and some members of the House have taken the opportunity to assume the guilt of another member well in advance of any judicial process.

After due process, if a case is to be answered, I would hope that the full force of the law is applied.

However, at the time of the first publicity of the allegations that had been made, no approach to the accused person had been made by police, no case had been made, no court hearing had been held and no case proven.

Despite this, we heard calls for the member to resign, calls for by-elections and even calls to have the member's legal entitlements suspended or stripped.

All this, yet no approach had been made to the member by police to discuss the issue.

I reiterate that if a case is proven, may the full force of the law be applied.

However, until then it is vital that we continue to respect the presumption of innocence until proven guilty, to have respect for the member's family and, particularly, to respect the rights of the member himself to the presumption of innocence.

We should be jealously guarding that right, not only for those of us inside this Chamber but on also on behalf of all Queenslanders.



RECEIVED
FROM
22/1/00

Submitted by the Premier 25/5/03 (24)
 **Queensland
Government**

Premier of Queensland
and Minister for Trade

GOV'T IN STRIFE – MUST WORK HARDER THAN EVER

The Bill D'Arcy court case would undoubtedly have a negative effect on the State Government, Premier Peter Beattie said today.

"It doesn't matter what my Government has achieved in just 18 months, we are now in trouble and we will need to work all the harder to regain the public's confidence," said Mr Beattie.

"This is certainly our darkest hour.

"I can confirm that as soon as I learned of the allegations against Mr D'Arcy I urged him to consider resigning.

"I can also confirm that I continued to encourage him to resign.

"It is also true that I was prepared to go into minority Government if Mr D'Arcy had refused to resign.

"I was prepared to rely on the vote of Independent Peter Wellington.

"The fact is that Opposition Leader Rob Borbidge opposed my attempts to get rid of Mr D'Arcy.

"When I took action way back in August 1998 to try to get Mr D'Arcy to resign, Mr Borbidge attacked me and sided with Mr D'Arcy," said Mr Beattie.

"As soon as it was revealed that police were investigating Mr D'Arcy's behaviour of 30 years ago I sought his resignation from Parliament.

"I immediately told the public what I had done but Mr Borbidge attacked me for this example of leadership.

"Mr Borbidge said – and I quote:

"These are very serious allegations but the presumption of innocence is very serious too.

"For Mr Beattie to declare himself judge, jury and executioner when no charges have been laid is an act of political treachery towards one of his colleagues that in days to come he will regret."

"I can assure you today that I have no regrets at having consistently encouraged Mr D'Arcy's resignation from parliament.

"I said on September 1, 1998, that if Mr D'Arcy stayed in Parliament then there would be questions about the future of my Government.

"And I said on the same day that if Mr D'Arcy decided to resign we would move quickly to have a by-election.

"Even the National Party's president at the time, David Russell, defended Mr D'Arcy against my call for him to resign. Mr Russell said Mr D'Arcy was entitled not to be pressurised into actions such as resignation from Parliament.

"When I finally succeeded in gaining Mr D'Arcy's resignation Mr Borbidge acknowledged on January 10 that – and I quote again –

"There's been attempts by the Labor Party over a period of time to force Bill D'Arcy out; Mr Beattie on this occasion has been successful."

"My role over the last 18 months ever since we learned of the allegations has been consistent.

"It is equally plain that Mr Borbidge is a total hypocrite on this matter because the Coalition has only sought to score political points.

"The result of my actions is that the people of Woodridge now have the opportunity of voting for an energetic local candidate in Mike Kaiser who will knock on my door to get things done for them."

"I understand that Mr Wellington wants to move a motion in connection with Mr D'Arcy's superannuation.

"It would be improper to discuss this or debate this during Mr D'Arcy's trial. No action can be taken unless he is found guilty.

"I will talk to Mr Wellington when Parliament resumes about this issue.

"Clearly, any retrospective legislation would also need to consider the precedent set by the pay-out of superannuation to former National Party Ministers Don Lane, Geoff Muntz, Brian Austin and Leisha Harvey who were all found guilty of misappropriation of public funds."

Contact: Steve Bishop 07 3224 4500
January 22, 2000.

Submitted by the Premier 28/5/03

25

Steve Keating

From: Brendon Strong
Sent: Wednesday, 28 May 2003 10:58 AM
To: Fiona Kennedy; Steve Bishop; Steve Keating; Anne Delaney
Subject: FYI - Springborg letter re: Child sex allegations

Springborg letter to the editor published in Central Qld News, Longreach Leader & Warwick Daily News Friday 4 Sept 1998.

Letter to the editor:

'What bare-faced hypocrisy.

Premier Beattie calls on his fellow members of Parliament to resign. Two days later he chastises some media outlets for their handling of the alleged child-sex affair allegedly involving a member of Parliament.

He claims some media outlets have produced stories in a way that presumes guilt.

If Mr Beattie's own call for the MP's resignation isn't a presumption of guilt, then I don't know what is.

Where is the Attorney General, Matt Foley, who until now has claimed to be the champion of civil liberties? What does he have to say about his own Premier's actions?

Perhaps Mr Foley isn't as independent as he claims.

Lawrence Springborg
Shadow Attorney General and Shadow Minister for Justice

28/5/03

**TRANSCRIPT
4QR ANDREW CARROLL 0900
WEDNESDAY 29 NOVEMBER 2000
INTERVIEW WITH LORRAINE BIRD**

CARROLL: WELL IN THE LIGHT OF THE JAILING OF FORMER LABOR PARLIAMENTARIAN BILL D'ARCY FOR SEX OFFENCES, THE HISTORY OF HOW QUEENSLAND DEALS WITH ABUSES IS OF PARTICULAR INTEREST. THREE YEARS AGO, A BILL DESIGNED TO CURB THE ACTIVITIES OF SEX OFFENDERS AND TO DETERMINE THEIR WHEREABOUTS WAS INTRODUCED INTO THE QUEENSLAND PARLIAMENT. IT WAS CALLED "THE CRIMINAL LAW SEX OFFENDERS REPORTING BILL 1997" AND IT WAS INTRODUCED BY THE FORMER LABOR MEMBER FOR WHITSUNDAY, LORRAINE BIRD. THE BILL RECEIVED NO SUPPORT FROM EITHER SIDE OF THE HOUSE AND IT LAPSED SIX MONTHS LATER IN MAY 1998. LORRAINE BIRD, WHAT DID YOU WANT TO ACHIEVE WITH THIS BILL?

BIRD: WELL, THE BILL WAS INTENDED, ANDREW, TO HAVE NAMES REGISTERED OF PAEDOPHILES WHO HAD BEEN REPEAT OFFENDERS MADE TO POLICE SO THAT THAT WAS AVAILABLE FOR PUBLIC SERVICE WHEN THEY WERE EMPLOYING, SO THAT THE POLICE COULD BE AWARE IF SOMEONE WAS IN THEIR AREA. IT WAS BASICALLY JUST TO PERUSE THE WHEREABOUTS OF AND KEEP AN EYE ON ANYONE THAT WAS A REPEAT OFFENDER.

CARROLL: SO LORRAINE, CAN YOU GIVE US A SORT OF AN UNDERSTANDING OF THE CIRCUMSTANCES AND THE CONTEXT AT THAT PARTICULAR TIME IN 1997 AND LEADING UP TO THIS TIME THAT PUT YOU INTO THE POSITION WHERE YOU WANTED TO HAVE THIS BILL INTRODUCED INTO THE HOUSE.

BIRD: WELL, WHAT OCCURRED WAS WE HAD LIVING IN MY ELECTORATE SOMEONE CALLED THEO BROWN. THEO BROWN CAME TO MY ATTENTION AS SOMEONE WITH A GREAT INTEREST IN THE FUTURE OF YOUNG CHILDREN AND WAS DOING THE ROUNDS OF THE SCHOOLS, THE EDUCATIONAL SYSTEM AND TAKING CHILDREN ON HOLIDAYS. BUT HE CONTACTED ME TO SEE IF I COULD GET SOME FINANCIAL SUPPORT FOR HIM. BUT UM, I WASN'T ABLE TO DO THAT OBVIOUSLY. BUT AS TIME WENT

ON, IT BECAME APPARENT THAT THEO WAS DOING A LITTLE BIT MORE THAN THAT.

SINCE THAT TIME HE COMMITTED SUICIDE. UM, IT BECAME KNOWN THAT HE WAS WANTED IN NEW SOUTH WALES AND VICTORIA FOR SEX OFFENCES, IN FACT PAEDOPHILIA, PORNOGRAPHY, ETCETERA. NOW, WHEN HE DIED, EVERYTHING IN HIS PLACE - LIKE MOST PAEDOPHILES HE KEPT PHOTOGRAPHS AND INFORMATION AND PHONE NUMBERS - EVERYTHING WAS JUST DESTROYED. THE POLICE JUST HANDED IT OVER TO THE RELATIVES AND THEY HAD IT DESTROYED EXCEPT FOR ONE BOOK, WHICH CAME TO MY ATTENTION, WITH A WHOLE HEAP OF PHONE NUMBERS ON.

NOW, WHY THE POLICE DIDN'T FOLLOW UP ON THOSE PHONE CALLS WAS THE REASON OF MY WHOLE INTERVIEW WITH THE POLICE TO FIND OUT WHAT WAS HAPPENING AND THEN OF COURSE WE TALKED TO THE CHILDREN'S COMMISSIONER. FROM THAT, OTHER THINGS CAME TO LIGHT, OTHER INSTANCES WITHIN NOT ONLY MY ELECTORATE BUT WITHIN QUEENSLAND. AND IT WAS OBVIOUS FROM THAT THE CONCENTRATION FROM THE SYSTEM ON...OF STOPPING CHILD ABUSE AND DEALING WITH CHILD ABUSE WAS VERY VERY LIMITED. IN FACT, THE CONCENTRATION WAS ON THE OFFENDER RATHER THAN THE VICTIM.

CARROLL: WHAT DO YOU MEAN, THE CONCENTRATION WAS ON THE OFFENDER?

BIRD: WELL, THE CONCENTRATION WAS A REACTIVE ONE.

CARROLL: WHAT, LOOKING AFTER THE OFFENDER?

BIRD: YES, THE RIGHTS OF THE OFFENDER. IN EVERY INSTANCE, THE RIGHTS OF THE OFFENDER CAME FORWARD. UM, AND I KEPT SAYING THAT, YOU KNOW, IN AREAS WHERE THESE SEX OFFENDERS ARE AND WHERE THEY'RE NOTED TO BE OUGHT TO BE AN AREA WHERE POLICE PROTECTED THE CHILDREN IN THE AREA. NOT SO MUCH THE HARASSMENT OF A PAEDOPHILE AS WE'VE SEEN IN SOME CASES, WHICH HAS COME TO THE ATTENTION OF THE LEGAL PROFESSION, BUT IN FACT TO PROTECT THE CHILDREN IN THE AREA BY ADVISING

THEM THAT THEIR CHIL...THE PARENTS, THAT THE CHILDREN MAY BE AT SOME RISK.

CARROLL: SO WERE YOU THE ONLY ONE AT THIS PARTICULAR TIME WHO WAS CONCERNED ABOUT THIS? WERE YOU THE ONLY ONE WHO FELT THAT, YOU KNOW, BEING A PARLIAMENTARIAN THAT YOU COULD IN FACT MAKE A DIFFERENCE TO CHANGE THAT SITUATION?

BIRD: WELL, IT...YES, I FELT THAT IT WAS TIME THAT IT WAS DONE. I MEAN, IT WAS NECESSARY. I WAS FINDING THAT THERE WAS A LINK FOR US IN PARTICULAR IN RURAL COMMUNITIES, FOR BOYS BETWEEN THAT AND SUICIDE. WE WERE FINDING THAT THOSE THINGS WERE LINKING UP QUITE OBVIOUSLY AND THERE WAS NO COUNSELLING. THERE WAS NO WAY THAT WE COULD DO ANYTHING TO PROTECT EVEN IN A PROACTIVE OR REACTIVE WAY.

SO, THE WHOLE ISSUE THEN BECAME FAIRLY OBVIOUS TO ME AND I RECALLED MEGAN'S LAW IN AMERICA AND I FELT THAT WE NEEDED THAT HERE AND I FELT THAT I WOULD HAVE HAD THE SUPPORT OF MY COLLEAGUES.

CARROLL: I WOULD HAVE THOUGHT YOU WOULD HAVE HAD THE SUPPORT OF THE HOUSE.

BIRD: YES, WELL, I...

CARROLL: WELL, MEGAN'S LAW, JUST EXPLAIN THAT BEFORE WE GO INTO WHAT HAPPENED.

BIRD: WELL, MEGAN'S LAW WAS, WAS, CAME ABOUT BY THE PARENTS OF A CHILD WHO WAS TAKEN AND SEXUALLY ASSAULTED AND ULTIMATELY MURDERED BY A KNOWN PAEDOPHILE. AND HE HAD LIVED IN THE AREA FOR SOME TIME AND PEOPLE DID NOT KNOW THAT HE WAS A KNOWN PAEDOPHILE BUT KNOWN TO THE AUTHORITIES THAT HE WAS A PAEDOPHILE. AND HE HAD BEEN IN JAIL AND RELEASED AND HE KILLED THIS YOUNG GIRL. THE PARENTS THEN WENT ON A CAMPAIGN OF GETTING AN IDENTITY CATALOGUE, WHICH ULTIMATELY THEN TURNED INTO MEGAN'S LAW IN AMERICA. AND THAT HAD THE SUPPORT OF PRESIDENT CLINTON AND IT WAS PASSED.

CARROLL: OKAY. WELL, COMING BACK TO THE LAWMAKERS HERE. WHAT HAPPENED TO YOU?

BIRD: WELL, OBVIOUSLY IT WAS VERY DIFFICULT, BECAUSE ONCE I GOT INTO THE SYSTEM WHERE I THEN DISCOVERED THAT A STORY PREVIOUSLY THAT... THAT TALKED ABOUT PAEDOPHILES IN THE WHITSUNDAY HAD BEEN REALLY CLOSED DOWN BY THE FACT THAT THE POLICE TOLD ME THAT I HAD INTERFERED WITH AN INQUIRY. SO, THE WHOLE THING THEN BECAME A LOCAL ISSUE AS WELL AS A STATE ISSUE. I WENT TO PETER BEATTIE, OR I WAS CALLED INTO BEATTIE'S OFFICE AND BEATTIE SAID "THIS IS NOT GOOD, THIS IS NOT APPROPRIATE, THIS IS NOT PAYING ATTENTION TO WHAT YOU'VE BEEN TOLD".

CARROLL: I'M SORRY. WHAT DO YOU MEAN, "PAYING ATTENTION TO WHAT YOU'VE BEEN TOLD"?

BIRD: TO BACK OFF, TO LEAVE THIS ISSUE ALONE, DON'T FORCE THE ISSUE, LEAVE IT.

CARROLL: THE POLICE WERE TELLING YOU TO BACK OFF.

BIRD: BOTH THE POLICE... WELL, THE POLICE TOLD ME TO BACK OFF BECAUSE I WAS FOLLOWING SUPPOSEDLY, UM, DESTROYING THEIR CAMPAIGN OF INVESTIGATIONS. AND IN THE WHITSUNDAY, WELL, ULTIMATELY THAT WE FOUND OUT THAT THAT WAS NOT TRUE. UM, WHEN WE HAD THE KIM... THIS WAS FOLLOWED UP BY THE KIMMONS-(?) INQUIRY WHICH THEN IDENTIFIED THAT THAT WAS PROBABLY JUST A VERY FIVE MINUTE INQUIRY.

CARROLL: SO, SO, SO WHY DID, WHY DID PETER BEATTIE THEN WANT TO TALK TO YOU? I MEAN, WHAT WAS HIS POSITION THEN?

BIRD: WELL, PETER'S POSITION WAS THAT, UM, DON'T GO THERE, THAT THIS IS NOT AN ISSUE THAT IS GOING TO GIVE US ANY HELP. MIND YOU, SOME MONTHS AFTER IT HAD ALL, UM, WORN ME OUT AND I LOST MY POSITION ON THE FRONT BENCH, THEY THEN PUBLICLY...

CARROLL: SO THEY SACKED YOU FROM THE... SORRY. SORRY LORRAINE.

INTERVIEW

29/11/2000

BIRD: I'M SORRY. I'M JUMPING AHEAD.

CARROLL: YEAH, WELL, THEY SACKED YOU FROM THE FRONT BENCH.

BIRD: NO, WELL, THE FIRST INTERVIEW I HAD WITH PETER, UM, WAS THAT HE TOLD ME NOT TO DO ANYTHING ABOUT IT AND I...BECAUSE IT WASN'T REALLY THE SORT OF ISSUE THAT WE AS A TEAM WERE, UM, FOLLOWING. I ADVISED HIM THAT I HAD INFORMATION REGARDING SOMEONE CLOSE TO HIM, SOMEONE CLOSE TO HIS OFFICE WAS ABOUT TO BE NAMED OR COULD HAVE CHARGES PRESSED AGAINST THEM. I ALSO ADVISED HIM OF SOMEONE IN ANOTHER POSITION OF POWER THAT...AND HE SCOFFED. HE JUST PUT HIS HEAD BACK AND SCOFFED AND LAUGHED AT ME. WELL, AS IT TURNED OUT, UM, THAT IS QUITE TRUE. BUT...

CARROLL: I THINK YOU MIGHT NEED FOR OUR LISTENERS, AND I KNOW WE HAVE TO BE CAREFUL HERE...

BIRD: MM-HMM.

CARROLL: ...BUT YOU'VE TOLD PETER BEATTIE THAT THERE WERE PEOPLE CLOSE TO HIM WHO...

BIRD: CLOSE TO HIS OFFICE.

CARROLL: RIGHT.

BIRD: NOT SO MUCH CLOSE TO HIM BUT CLOSE TO HIS OFFICE THAT I WAS AWARE MAY BE PURSUED, UM, BY THE VICTIM IN SOME WAY WHETHER THAT WAS, YOU KNOW...

CARROLL: SO WE'RE DE...AND WE'RE DEALING WITH PARLIAMENTARIANS, ARE WE, OR WE'RE DEALING WITH...

11  BIRD: WELL, ~~AT THAT TIME~~ AT THAT TIME I ASSUMED IT WAS SOMEONE WITHIN THE OFFICE. BUT ~~LATER~~ LATER LEARNT THAT IT WAS NOT. IT WAS A PARLIAMENTARIAN.

CARROLL: RIGHT. SO WERE YOU AWARE THAT THERE, THERE...ALL RIGHT, MAYBE WE CAN TACKLE IT THIS WAY. SO, YOU SAY THAT PETER BEATTIE SCOFFED AND LAUGHED AT YOU?

BIRD: YES. HE WAS...

CARROLL: WHY IS THIS SO SENSITIVE?

BIRD: WELL, I'M NOT SURE. I...LOOK, IT'S A VERY RISKY AREA. IT'S A VERY RISKY AREA FOR MANY PEOPLE TO ENTER INTO BECAUSE IN SOME CASES THEY HAVE THEIR OWN CHILDHOOD DEMONS WHICH THEY'VE PUSHED TO THE BACK OF THEIR MINDS. IT'S ALSO A YUCKY ISSUE. I MEAN, IT'S AN ISSUE THAT PEOPLE RECOGNISE AS PROBABLY EXISTING. THEY MAY OR MAY NOT HAVE EXPERIENCED IT THEMSELVES AND IT'S SOMETHING THAT THEY DON'T WANT TO DEAL WITH.

CARROLL: SO YOU'RE SAYING AT THAT PARTICULAR TIME, THE LABOR PARTY, THE LABOR PARTY PARLIAMENTARIANS WERE NOT WANTING TO DEAL WITH THIS?

BIRD: NO, AND THAT BECAME...WHAT BECAME OBVIOUS FROM THAT MEETING WAS THAT THEY DIDN'T WANT...IT WAS AN ISSUE, ONE THAT WAS NOT ON THE AGENDA AND WAS NOT GOING TO BE DEALT WITH. UM, I DID TELL HIM THAT I INTENDED TO PURSUE IT FURTHER AND I LEFT. I WAS THEN SUBSEQUENTLY CALLED IN TO ANOTHER MEETING AND AT THAT MEETING WAS REPRESENTATIVES OF ALL FACTIONS, INCLUDING THE INDEPENDENTS, UM, AND IT WAS A VERY TORRID MEETING WHERE, UM, I WAS JUST TOLD THAT, YOU KNOW, BACK OFF, THIS IS WRONG, THIS IS NOT WHAT WE WANT.

CARROLL: SO WHO SAID THAT TO YOU?

BIRD: WELL, IT WAS A FEELING OF ALMOST EVERYBODY AT THAT MEETING.

CARROLL: SO HOW MANY WERE THERE?

BIRD: OH...

CARROLL: SO THESE ARE THE LEADERS OF THE LABOR PARTY?

BIRD: ...EIGHT.

CARROLL: EIGHT.

BIRD: ABOUT EIGHT, OR MAYBE SIX OR EIGHT.

CARROLL: AND THIS MEETING TOOK PLACE, WHAT, IN PARLIAMENT HOUSE?

BIRD: YES, IN BEATTIE'S OFFICE. YES, IN OPPOSITION OFFICE.

CARROLL: SO, WHAT ELSE WERE YOU TOLD?

BIRD: WELL, AS I WAS LEAVING, PROBABLY THE MOST DIFFICULT PERSON TO DEAL WITH AT THAT MEETING WAS JIM ELDER. BUT THAT'S NOT TO SAY THAT HE WAS OBJECTING MORE THAN OTHERS. IT WAS JUST THAT HE WAS, HE WAS THAT SORT OF FELLOW THAT JUST PUSHED FORWARD ON ISSUES AND WANTED TO HAVE HIS WAY.

CARROLL: AND HIS WAY WAS?

BIRD: AND HIS WAY WAS THAT HE WAS TELLING ME TO BACK OFF, CONFORM, DO AS YOU'RE TOLD. UM, AND AS I WAS LEAVING, I SAID "LOOK, I'M GOING. I'VE HAD ENOUGH". MATT FOLEY HAD BEEN VERY GOOD. MATT WAS BEING VERY CONCILIATORY AND TRYING TO GET SOME SORT OF MOVE AHEAD (?) AREA AND SOME WIN FOR ME. BUT, AHH, AND THE OUTCOME WAS THAT IT BE REFERRED TO A COMMITTEE. BUT I DID WALK OUT OF THE MEETING AND AS I WAS LEAVING, ELDER SAID TO ME "YOU WILL LOSE YOUR SEAT. YOU WILL LOSE THE SEAT THAT YOU HAVE." AND I SAID, "WELL, PROBABLY WORTH IT," AND I LEFT.

CARROLL: AND YOU LOST YOUR SEAT.

BIRD: I DON'T THINK I LOST MY SEAT AS A RESULT OF THAT, BUT I DID HAVE TO...IT WAS SUGGESTED THAT I MIGHT STEP DOWN FROM THE SHADOW MINISTRY.

CARROLL: ALL RIGHT LORRAINE, VERY QUICKLY...

BIRD: HMMM?

CARROLL: ...WHY IN YOUR VIEW IS THIS STILL IMPORTANT?

BIRD: WELL, THIS IS TERRIBLY IMPORTANT FOR ME AND FOR THE PEOPLE OF QUEENSLAND. I AM

COUNSELLING CHILDREN TODAY BECAUSE THE SYSTEM IS JUST SIMPLY NOT MANAGING EITHER THE PRE-EVENT OR AFTER, BECAUSE THE SYSTEM IS JUST PUTTING CHILDREN IN DOUBLE JEOPARDY. BUT I'M COUNSELLING CHILDREN WHOSE PARENTS JUST REFUSE TO TAKE THEM TO COURT.

CARROLL: OKAY, LORRAINE BIRD, THE FORMER MEMBER FOR WHITSUNDAY, RESIDENT OF MACKAY, APPRECIATE YOU BRINGING US A BIT OF CONTEXT....

BIRD: YES, WELL...

CARROLL: ...ON WHAT IS STILL AN INCREDIBLY IMPORTANT ISSUE IN QUEENSLAND.

BIRD: WELL, IT'S NICE TO HEAR YOUR VOICE AGAIN ANDREW. THE BEST OF LUCK, AND, AHH, WE DON'T GET YOUR MORNING SHOW UP HERE, IT'S A JOLLY SHAME. BUT NEVERTHELESS, GOOD LUCK. PERHAPS I'LL SEE YOU DURING THE ELECTIONS.

CARROLL: SO YOU'RE STILL GOING, ARE YOU?

BIRD: WELL, IT GETS MORE APPEALING EVERYDAY.

CARROLL: BUT NOT FOR THE LABOR PARTY?

BIRD: OH, NO, ANDREW, AS AN INDEPENDENT. I'M TOTALLY INDEPENDENT OF ALL THAT NOW. I'M NOT A MEMBER OF THE LABOR PARTY AND I HAVE REAL...IT'S NOT AN ISSUE THAT I'VE DISMISSED, UM, STANDING FOR THE NEXT ELECTION.

CARROLL: ALL RIGHT. WELL, LORRAINE BIRD, WHATEVER YOU DO, WE WISH YOU ALL THE BEST AND AHH, ON BEHALF OF ALL QUEENSLANDERS, THANKS FOR TRYING.

BIRD: THANKS ANDREW.

CARROLL: LORRAINE BIRD.

ENDS
KMB

28/5/03

[Signature]
(26)

PDF Document: Legislative Assembly 545 17 April 1996

Help

Previous Document	Next Document	First Hit	Native PDF	Full Document (Unformatted)	Back to Results	New Query
-------------------	---------------	-----------	------------	-----------------------------	-----------------	-----------

Expand up..
Motion agreed to.

NOTICES OF MOTION

South Coast Motorway

Mr BEATTIE (Brisbane Central— Leader of the Opposition) (10.01 a. m.): I give notice that I shall move—

"That this Parliament censures the Transport Minister, Mr Johnson, for:

1. not arranging consultation with the 170 families whose houses are to be resumed by his plans to eight-lane half the Pacific Highway;
2. for leaving these families to find out about the road proposal from the media; and
3. for showing an uncaring attitude by refusing to apologise for the resumptions."

Inquiry into ◀ Paedophilia ▶

Mr ELDER (Capalaba— Deputy Leader of the Opposition) (10.01 a. m.): I give notice that I shall move—

"That this House endorse the commitment of the Queensland Government to co-operate fully with any Federal Government inquiry or initiative into ◀ paedophilia ▶, but go further and require this Government to immediately establish an independent authority to fully investigate accusations of ◀ paedophilia ▶ in this State."

Flag Flown at Parliament House

Mr HAMILL (Ipswich) (10.02 a. m.): I give notice that I shall move—

"That this House resolves that the flags of other nations should only be flown at the Queensland Parliament when it is appropriate to extend such a courtesy to

Expand down..

...

court's right of judicial review. But in this circumstance, really the only justification that is advanced is a problem of timing. It is a pretty extraordinary step to take to remove that decision from any review. The clause itself states that that decision, which includes a failure to make a decision, and includes conduct related to making the decision—

"... cannot be challenged, appealed against, reviewed, quashed, set aside, or called in question in another way, under the Judicial Review Act 1991 (whether by the Supreme Court, another court, a tribunal or another entity)."

The draftsman has been pretty comprehensive in blasting away the avenues for any citizen or any person to challenge it.

This is not an issue of political merit that we are discussing. This is an issue of the rule of law. Frankly, I am surprised that the Attorney-General is not in the Chamber to participate in this debate, because it is a very big step for any Parliament to take. I note that the Police Minister is here. I am sure that his study of the doctrine of the separation of powers would illuminate the discussion within the Committee. But effectively, what is being proposed is that the Parliament removes the power of the court to see whether or not this action is lawful. That is a very big step to take—to put that action beyond the rule of law. The only public policy ground that has been advanced is one of timing.

The honourable Opposition spokesperson has made available an alternative remedy of processing the matter through the Parliament as at least some safeguard for ensuring that the matter is lawful. So the amendment really needs to be considered in the light of that extraordinary ouster clause, lest the Parliament be open to the accusation that it is putting some unelected official beyond the rule of law.

Progress reported.

PAEDOPHILIA INQUIRY

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (6 p.m.): I move—

"That this House—

- (a) endorses the commitment of the Queensland Government to cooperate fully with any Federal Government inquiry or initiative into paedophilia, and
- (b) calls on the Government to go further and immediately establish an independent authority to fully

investigate accusations of paedophilia in this State."

This debate is about more than the despicable crime of paedophilia. It is about all violence against young people. Violence occurs in many forms. Paedophilia, albeit awful and destroying, is just one of them.

Paedophilia is appalling. It is an abuse of the trust that children should be able to have in adults. It robs children of their innocence, it steals their futures and frequently condemns them to lives of guilt and shattered relationships. Worse, it can, in turn, condemn them to repeat the sins of their assaulters, continuing the damage from generation to generation.

Paedophilia is particularly pernicious when it occurs in State-run facilities and among wards of the State. These children have already been cast adrift from the safety of parental love, and when they are rescued by the lifeboat that should be offered by the State we have a duty to make sure they are safe from sharks, not caged with them. Only now are the stories of abuse in these facilities coming to light as children reach maturity and are able to confront the horror of their experiences as children. This morning, the Minister said that only six of the phone callers to the New South Wales Wood Commission complained of sexual abuse in Queensland institutions. "Only six"—how many cases of child abuse are acceptable to the Minister? Is 10 okay? Is 20 okay? Is 50 okay? I believe that no case of child abuse or paedophilia is acceptable, that no case should go uninvestigated and that no case should go unpunished.

This morning, the Minister also said that every case of child sexual abuse had been brought to the attention of the department—every case! That statement flies in the face of everything we know about this abhorrent practice. The horrible truth is that child victims seldom complain until they are adults. They are too frightened or too guilt-ridden. For every case that comes to light, how many others are unreported because people are too embarrassed, too ashamed, too frightened, too cowered or too insecure to face an inquisition about such a terrible invasion of their privacy?

We need to give child abuse victims an opportunity to come forward anonymously to give information about their experiences. The Government must establish immediately an independent authority to give those people this opportunity. We need a totally independent authority—let us call it a

children's commission—to accept and investigate complaints of paedophilia and child abuse, to research best practice in dealing with vulnerable children, to monitor and evaluate progress and provide an independent advocacy service and voice for those children.

No matter how caring and careful are the professionals dealing with children, inevitably some clever pervert will slip through the system. I am told that most paedophiles are very clever at evading detection. Unless children have a trusted alternative to turn to, the abuse will continue and yet another child's life will be devastated. The children's commission can establish official visitor programs in our residential homes and other facilities to give children an opportunity to make a complaint in safety.

The children's commission must be independent of the department and the church and other community organisations which failed those children in the first place. Nobody will have confidence that their complaints will be given a fair hearing unless a hotline exists that is completely independent. It would be not only a hotline but also a comforting line, an understanding line, a private line.

Horrible as it may be, paedophilia is only a very small part of the violence and abuse experienced by children and young people in society. Most abuse occurs in families. The terrible fact is that for countless children the family is not the loving, protective unit that it should be. For many children and young people, the family is a place of violence, abuse and neglect.

State child abuse statistics paint a grim picture, but it is only part of the picture. The Australian Institute of Health and Welfare compiled information about child abuse throughout Australia from figures provided by individual States. It shows that we face a national calamity of monumental proportions if remedial action is not taken immediately. In 1990-91, 49,721 cases of child abuse and neglect were reported, with 46,769 cases investigated to finalisation. In 45 per cent of the cases, a substantiated case of child abuse or neglect was found. Almost 5 children per 1,000 aged between birth and 16 had either been abused or were assessed as being at risk of abuse. Fifty per cent of the substantiated cases were concerned with physical and emotional abuse, 25 per cent were concerned with sexual abuse and a further 25 per cent were cases of neglect. In almost two-thirds of the substantiated cases, a

parent or guardian was responsible for the abuse. In 22 per cent of cases those responsible were not family members or a close friend. Then there are the cases of mental cruelty—no bruised skin, no broken bones, no physical evidence, just a permanently crushed ego, a broken spirit, a personality scarred for life.

These figures are likely to underestimate the number of victims. The nature of child abuse is that victims live in fear, shame and isolation, ensuring that the violence is hidden and that effective sanctions and enforcements are not developed. As a result, there is no clear picture of the true extent of child abuse because there are no nationally consistent and comparable data. There are a number of factors involved, such as the following—

- there is no system for national data collection;

- variations in State/Territory legislation mean that there are variations in the definitions, reporting arrangements and data collections;

- considerable underreporting occurs because of the powerlessness of the young victims;

- often victims suffer such feelings of guilt and self-loathing that they believe they are to blame for the abuse; and

- lack of access to information about where to seek help often ensures that crimes are unreported.

The first step in protecting children against violence is to ensure that it is reported. The clear, unambiguous message to victims, perpetrators and the criminal justice system is that abuse of children is a crime which will not be tolerated. Where the family and societal systems that should provide care, nurture and protection fail children there is a moral, humanitarian and legal obligation to intervene on behalf of those children. Effective prevention of child abuse must develop from strong levels of support for families, particularly during times of stress.

Lack of support networks, alcohol and drug abuse, poverty and unemployment are not the causes of child abuse and neglect but they are factors that exacerbate family tensions and stress which can lead to further problems. Unless families have adequate housing, health, education and income, efforts to prevent child abuse will ultimately fail. Public policy must have at its centre the wellbeing of our children. We must value them, protect them and give their future development the importance it deserves.

The success of child protection initiatives depends crucially on the coordination of legislation, programs and services in a national approach. National legislation would give effect to Australia's international obligations as a signatory to the United Nations convention on the rights of the child. It would also establish a consistent and coherent set of principles underlying child protection laws incorporating the best and most innovative features of State child protection practices and promoting consistency of legal interpretation.

As an immediate first step, provisions enabling the national registration of child protection orders made under State laws need to be put in place to extend to children equivalent levels of protection across State and Territory borders that exists for those protected under domestic violence protection orders. States cannot escape their primary responsibilities in the area of child protection. Faced with the need to protect children who have already been abused, State Governments have devoted the bulk of their money to direct child protection services such as alternative care arrangements, foster care and crisis intervention.

But preventing the abuse from occurring in the first place must be the main priority of Government. That means well-resourced community services to support and strengthen families—not just special services for families identified as being at risk, because child abuse is not restricted to any one class or neighbourhood, but greater access to mainstream services for children and their families. In the present continuum of services to protect children there is only limited assistance for families with many of the interventions being crisis oriented and some having a punitive rather than an enabling effect.

Where the safety of an abused child is the issue, removal from the family environment may sometimes be necessary. However, more positive measures such as access to mainstream children's services combined with intensive support for families may be the more effective response. By supporting constructive changes in family functioning, intensive family-based services can prevent child abuse and neglect. The protection of our children is too important for this issue to become a political football. We must move now as a community to put in place the necessary measures to prevent abuse and support families. The first step is getting an accurate picture of the problem. The proposed independent authority, a children's commission, will achieve that. A

hotline is a first and necessary step in developing an understanding of the dimensions of the problem society is facing. I urge all members of the House to support the motion.

Mr FOURAS (Ashgrove) (6.58 p.m.): I am pleased to second this motion. Paedophiles select their victims from among children who are homeless or detached from, or deeply unhappy in, their family environment. Paedophiles often pose as father figures. A large proportion of the victims of abuse and neglect are State wards. They are entitled to our protection.

I will refer to some evidence that was given during the homeless children inquiry, of which I was a member. A young lad, Gavin, was forced into prostitution when he arrived on the Gold Coast from Melbourne. The interviewer asked how he got involved in that. He answered, "Nowhere to live; no money." In all major cities there appears to be a highly profitable prostitution industry which relies on a constant supply of homeless young people, both male and female. Another example was Liza, who was 14. She told the inquiry that she became involved in prostitution only because she needed somewhere to stay. She said that the State department knew what she was doing, because they were giving her no assistance and she lived at her place of work. In that case, the State department knew that one of its wards was a prostitute and did nothing about it. That is happening all over Australia; I am not talking only about Queensland. Homeless young men and women are vulnerable to sexual exploitation. Another example from the homeless children inquiry relates to Sybil, who was 15. She told the inquiry—

"Yeah, I did sleep with people for a roof over my head. Um, not for money."

In 1984, in an interdepartmental report, the Director of the Department of Children's Services, Mr Graham Zerk, said unequivocally that this State could not provide the statutory rights of the children under its control. The Burdekin report in 1988 stated that the process of children coming into care or attempts to have our children committed to care provided a clear path to homelessness. So the State system provides a path to children becoming homeless. The Burdekin report also stated—

"The failure of the States . . . both to provide appropriate nurture and support to children committed to, and leaving their care, is a serious indictment on the willingness and capacity of those

authorities to properly discharge their legal and social responsibilities."

The report then referred to 12-year-olds and 15-year-olds who are totally without support. Neither the State nor the Commonwealth authorities look after them. The statistics relating to sexual and physical abuse of children indicates that the abuse is predominantly of 13-year-olds and 14-year-olds, particularly girls.

Recently, an article in the *Sunday Age* reported the findings of an independent inquiry into children who had come to the attention of the child protection service and whether those children had been abused again after coming to the attention of the service. The report stated that, unfortunately, even though those children had been reported to the child protection service, 57 per cent of them continued to be physically abused and 35 per cent of them continued to be sexually abused. So the State is failing those children in an horrific way.

I think that it is absolutely disgraceful and unacceptable that a country as rich as Australia does not have sufficient resources to tackle this problem. It is a national scandal. The best prevention against child exploitation is to support vulnerable and struggling parents. Prevention and intervention is the way to go. We need adolescent and family therapy and mediation services. We need family support services. We need to have options such as those that exist in Scandinavia, where young people can be placed with their extended family or with friends. In Scandinavia, eight out of 10 children who cannot be cared for by their parents end up in such an environment. In Australia, only one out of 10 children ends up in a similar situation. We should be doing something about that. If we cannot place children with their extended families or with friends, we should have properly funded foster care. Our foster care system is a shambles. We need boarding and independent living facilities for those children. We also need to have programs that are tailored to the needs of the individual child instead of trying to fit the child into the system.

In a speech I made in this place recently, and I think that it bears repeating, I said that we need a national strategy to prevent child abuse, neglect and exploitation. The Commonwealth Government has signed a convention on the rights of the child and it has the right and responsibility to prevent abuse and exploitation. That convention states—

"The State shall protect children from all forms of physical and sexual abuse, neglect or exploitation."

However, we also need the States to set up an independent, statutory authority to deliver child protection services. The task of that authority would be to ensure that there is child protection.

I believe that child protection is too important to be mixed up with the other responsibilities of the community service bodies. It is time that we set up an authority with a board that is responsible to the Minister, with young people having a say and with the authority to get rid of this national scandal—this disgrace. The States are not meeting their responsibility to protect children. I think that it is a national scandal. The Minister may say, "We are doing our best", but that is not good enough. The old approach is not working.

Time expired.

Hon. K. R. LINGARD (Beaudesert—Minister for Families, Youth and Community Care) (6.14 p.m.): The Government supports the motion moved by the Opposition, especially paragraph (a). However, I move an amendment to paragraph (b). Quite obviously, the Government agrees with the Opposition, that is, it—

"... endorses the commitment of the Queensland Government to cooperate fully with any Federal Government inquiry or initiative into paedophilia."

However, paragraph (b) states—

"... calls on the Government to ... fully investigate accusations of paedophilia in this State."

I therefore move the following amendment—

"Omit the words 'go further and immediately establish an independent authority to'."

The Ministers of the Australian Family Services Departments have just met and they have agreed that there should be a national inquiry into child abuse and also any paedophilia. As we all realise, in New South Wales the Wood commission has been established and requests have been made for people to phone in about any instances of child abuse. As I said this morning, the *Courier-Mail* did carry articles which stated that supposedly hundreds and hundreds of phone calls had come from Queensland. In speaking to the New South Wales Minister, the Minister agreed that there were only six phone calls from Queensland and that many of those

calls—and these were his words—were from people who had been abused 20 years to 30 years ago.

Mr Elder: Those phone calls were on sexual abuse. You misled the Parliament. I had to ring him and find out. You misled us this morning. We'll work on you tomorrow.

Mr LINGARD: I am not quite sure of that accusation by the Deputy Leader of the Opposition.

Mr Elder: I checked in New South Wales. I checked with the Minister's office today. They were calls on sexual abuse only. There were other calls on child abuse.

Mr LINGARD: Because of that accusation, I will table the actual document given to me by the New South Wales Minister for Family Services. That document states that there were 254 calls to the Wood commission and, of those calls, only six came from Queensland. Of those six, he stated—

Mr Elder interjected.

Mr LINGARD: I am not even quite sure what the member's accusations are, and I am not going to waste my time on them. However, the Ministers then passed a motion which states that State and Territory Ministers agree to develop complementary legislation to recognise each other's child protection orders and to include New Zealand in the process of discussion; that Ministers agree to refer to the Police Ministers' Council the need to ensure that timely and accurate information on child sex and child maltreatment offenders is available to Community Service Departments and other relevant agencies so that such people will not be employed in positions dealing with or caring for people; that Ministers agree that protocols be developed at State and Territory levels to allow for the sharing of information in relation to people paid or appointed to care for children.

I referred to that document because the Ministers at an Australian level do not believe that at each State level another independent authority should be set up. If I receive any advice of child abuse or paedophilia, I can refer the matter to the CJC. If I refer the matter to the CJC, then we can set up a special inquiry to investigate that matter.

The Opposition is asking for yet another authority on top of our CJC to investigate child abuse and paedophilia. As the speakers who will follow me, the Minister for Justice and the Minister for Police, will indicate, there are many avenues within Queensland where these cases can be reported. But let me say this to the House: I do not at present have any

record of any allegation of paedophilia or child abuse on my books or to me personally or to any of these departments which have been set up to receive that sort of accusation. If it is that I receive one of those accusations, then I can immediately set up a CJC inquiry.

I ask members of the Opposition why they are asking for yet another authority that has not been agreed to at a Federal level. The Federal Ministers have not agreed to that. They have agreed to coordinate a national inquiry, but they have not agreed that in each State there will be a separate and independent authority. Therefore, I would say to the Opposition that it would be silly for Queensland to set up another authority here.

Ms SPENCE (Mount Gravatt)
(6.19 p.m.): The New South Wales Wood royal commission has awoken our interest in paedophilia with incredibly distressing accounts of sexually, physically and emotionally abused children—kids who have been abused by ministers of religion, teachers, State-appointed caregivers, police officers, millionaires and so on. What makes these revelations so emotionally numbing is the absolute failure of our institutions, whether they be State Government departments, the churches, schools or police, to protect our children. I think the moral panic that is now going on in Australian society is justified, because we are being forced to come to terms with the fact that these very institutions which are the foundations of our society are the very institutions which have failed our children. We have allowed paedophilia to go on in these institutions for years because our society cannot deal with the problem of child sexual abuse.

The problem has remained hidden because it so often takes place in the family. Most paedophilia and child abuse is not being conducted by millionaire playboys or Foreign Affairs diplomats; it takes place in the bedrooms of our suburban homes. In saying that, I am not in any way seeking to minimise the cruelty or trauma experienced by the victims in the high profile cases.

Over the years, feminist efforts to place child abuse, in all its forms, on the public agenda have been hampered, not so much by the horror of those appalled by the abuse as by the fear of powerful men that parental, and particularly male, authority in the traditional family is being challenged. The main issue, though, is that the demonisation of paedophilia helps us to forget that according to a recent estimate, 44 per cent of known instances of child sexual abuse were

carried out by the natural father of the child. We have to come to grips with the way in which the highly privatised traditional family, whether natural or reconstituted, seems to act as a forging ground for abuse. It is much safer to target anonymous pervers. Everyone can feel shocked and disgusted, and from there it is easy to agree that stricter law enforcement is the only solution, when education and family support might be of more use.

I am pleased to speak in support of this motion which calls for the establishment of a totally independent authority to investigate complaints of child abuse, research best practice in dealing with vulnerable children and provide an advocacy voice for children. The Minister for Families asks why we are supporting the call for an independent statutory authority to look after these particular problems. He says that the CJC is enough; that the CJC's role would be to investigate instances of child sexual abuse. Through this motion we are proposing what the shadow Minister has called a children's commission, which would be set up to investigate not only complaints about child sexual abuse but also to provide staff to deal with vulnerable children and their abusers and to provide an advocacy voice for those children. The Minister for Families has missed the whole point of the motion that we have moved.

The Minister for Families asks why we need a separate authority, and why we cannot rely on the institutions we have already. Judging from the experience in New South Wales, it is clear that we cannot trust our existing institutions. Our police officers, no doubt like the New South Wales police officers, are really not dealing with this problem. Nor can we trust that our churches or community organisations are up to the task. I think we would all agree that the social workers in the Department of Families are overworked and ill-equipped in terms of the myriad skills needed to overcome this problem.

While I am on the issue of the Department of Families, I must say that I was unimpressed with the attack in the weekend press of the department's new director-general, Alan Male, on single mothers. Perhaps he feels he is justified in taking his lead from various Ministers, whose sporadic attacks on single mothers suggest that they are keen to blame these women for all the problems of our troubled youth. Is it not ironic that child abuse is so often carried out by the natural father in the family home, and those woman who are courageous enough to get themselves and their children out of the home are then attacked by Ministers and their

directors-general for being single mothers. These days, all the blame for our troubled youth is placed on the heads of these poor women who have done the right thing.

Time expired.

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (6.24 p.m.): I second the amendment moved by the Minister, and I do so to acquaint the House with the agreed position of all State and Territory Governments at the Adelaide Premiers Conference some two and a half weeks ago. At that Leaders Forum, the Premier of New South Wales, the Honourable Bob Carr, briefed all Premiers on the situation in his State. He sought the agreement of all State and Territory jurisdictions in regard to an appropriate response to matters arising out of that New South Wales inquiry.

Mr Fouras: What is the response?

Mr BORBIDGE: I will tell the honourable member. I think at this stage what the Opposition is proposing exceeds what was agreed to at the Adelaide forum. Basically, it was agreed that this matter—

Mr Elder interjected.

Mr BORBIDGE: Mr Carr put forward the proposal that this particular subject be put on the agenda of and raised at all ministerial council meetings. For example, if the Police Ministers Council was to meet, or the Health Ministers Council, or the Family Services Ministers Council, updates from the New South Wales Government would be presented and moves made towards a coordinated approach.

Over and above that, the New South Wales Premier sought the cooperation of all jurisdictions if he or his Government, or agencies of the New South Wales Government, wished to refer matters to other States. For example, if evidence was given in New South Wales that impacted on Queensland, the appropriate Queensland authorities would be involved. Over the last few days, the Premier of New South Wales, Mr Carr, has written to me inquiring about which department he should liaise with in regard to matters arising out of inquiries in New South Wales, if the need arose. I have advised him accordingly.

I assure honourable members on both sides of the House that Bob Carr has the full support and cooperation of all State and Territory Governments.

Mr Fouras: Did he actually own up to the fact that his State, your State and every other State is failing to provide protection for

our children, and that the current system is not working at all? Did he admit that? We have to admit that first, and we can only do it through an independent authority.

Mr BORBIDGE: What I am saying, for the benefit of the honourable member for Ashgrove, is that the Premier of New South Wales requested all State and Territory Governments to adopt a common position. That request received the unanimous support of all State and Territory leaders at the Adelaide Premiers Conference.

Since then, I understand that the Criminal Justice Commission has indicated that it will be undertaking certain investigations in respect of paedophilia. I also understand that some two and a bit years ago the Queensland Police Service established an expert unit—

Mr Cooper: The Child Exploitation Investigation Unit.

Mr BORBIDGE: The Child Exploitation Investigation Unit is also undertaking certain inquiries in this regard. I do not rule out that at some time in the future it may be necessary to go as far as the Opposition is proposing tonight and to have an independent authority quite separate from the CJC. All I am saying is that, on the information provided to the Premiers Conference by the Premier of New South Wales, that has not been sought at this stage.

Mr Elder: His opinion does not stop you from going further. We are not mutually exclusive, are we?

Mr BORBIDGE: No. For the benefit of the Deputy Leader of the Opposition, I am reporting to the House the agreed positions of all State and Territory Governments. The Opposition is asking us to go further and immediately establish an independent authority. We have the CJC initiating certain inquiries, we have the Police Service undertaking certain inquiries, and I have to say that at this point the Premier of New South Wales has not referred any specific cases to the Queensland Government for investigation.

Time expired.

Mrs CUNNINGHAM (Gladstone) (6.30 p.m.): The oft-repeated statement that children are our most valuable resource is a genuine belief of every member here tonight. I could do nothing other than support any plans to deny the low-lives who prey on our kids even a glimmer of opportunity to satisfy their degraded interests. We say that we live in an enlightened society, but does an enlightened society offer our kids to perversion? In some

areas our children are particularly vulnerable, and they must be protected.

Des Sturgess examined the role of pornography and sexual crimes against children. His position is reported as follows—

"His comments are confirmed by many police officers and other professionals who deal with sexual abuse cases. He said 'Children are affected by it'—

that is, pornography—

"both directly and indirectly. A very direct effect is seen in the seduction of them . . . it is much used by paedophiles. It captures interest and seems to lull the child into the belief that what is happening is unexceptional; later it may still any voice of complaint by engendering a sense of wrongdoing.' It can be verified from innumerable case histories that paedophiles and molesters often use easily obtainable so-called 'NVE' pornography from Australian and overseas suppliers to assist in the seduction of their child victims.

Victorian Crown Prosecutor, Richard Read, who has prosecuted hundreds of sexual offenders has offered a real challenge to those who hold views similar to Prof. Wilson. In his 1991 paper 'Pornography, Depicted Violence and the Family' he wrote;

"With the present level of violent crime and violent sexual crime, the onus of proving that there is no significant link between pornography and imitative criminal behaviour, and depicted violence and imitative criminal behaviour, lies squarely with those who assert, contrary to human experience, that there is no causal link."

So the issue that we are discussing is not just a singular one; it is a very complex equation into which a lot of factors feed. At issue is our attitude not only to paedophilia—and all of us are reeling in contempt and horror at that concept—but also our attitude to free access to pornography.

Tonight, an amendment was moved to go further and immediately establish an independent authority. I have some concerns about the negating of that amendment for the simple reason that the CJC, which would probably be the primary body to which any complaint or investigation would be referred, has very much a criminal focus. Although not in all cases, there often has to be some

reasonable ground for reference to the CJC. But I wonder, given the sort of investigation being proposed, how free people would feel about approaching the CJC and voicing their concerns before what is, I believe, a very judicial-type group.

In addition, the member for Mount Gravatt said that the authority to investigate should be given to a new body which she called a children's commission. I draw the member's attention to the motion we are debating, that is, to establish an independent authority to investigate fully accusations of paedophilia. If the scope of the CJC's investigation is broadened to the extent suggested by the member for Mount Gravatt, it too would have lost its focus. Family Services and a lot of other governmental bodies have been established that can assist, give comfort to and counsel young children.

Mr Elder: People don't necessarily go there with child abuse. What this children's commission will do will be to handle child abuse as well.

Mrs CUNNINGHAM: Let us establish a body targeted at investigating paedophilia, otherwise the specific problem of child abuse will be lost in the system. The only benefit in having a separate authority is that it can act with speed and it can be targeted. If it is going to be diluted with all of the other things that the member alluded to, there is no point. There are already bodies to which these matters can be referred en bloc.

Mr Elder: I think you'd find that they would start to be very targeted, but you would get considerable cases coming through that related to other child abuse.

Mrs CUNNINGHAM: I take that on board.

Tony Koch states—

"The main reason for the proliferation of paedophilia in all its evil forms is that adults in responsible positions choose to turn a blind eye rather than get involved on behalf of children suffering the abuse."

Time expired.

Hon. D. E. BEANLAND
(Indooroopilly—Attorney-General and Minister for Justice) (6.34 p.m.): At the outset, similar to other members, I put on record that I am personally repulsed by the actions of paedophiles. Some of the evidence that has come out of the Wood royal commission to date is certainly enough to turn one's stomach—certainly that of any right-minded person.

We have heard from a number of speakers in relation to this issue. The motion put forward by the Opposition is somewhat contradictory. Although it endorses the commitment of the Queensland Government to cooperate fully with any Federal Government initiative into paedophilia, it also calls on the Government to go further and establish an independent authority. As other speakers from the Government side have pointed out, this also contradicts what was agreed to at the recent Premiers Conference, at which certain agreements were reached and arrangements made.

This is an issue which strikes at the hearts of all of us. People want action taken to combat this problem. The Opposition had six and a half years in which to do something, yet it did not address this issue. A number of organisations currently exist in the community to address this problem. I understand why some people wish to set up a separate body to address the problem independently. However, such a separate body may not be more successful than existing bodies.

There is no doubt that paedophilia is a national issue and, as such, it needs to be tackled firstly on a national level. Organisations already exist in this State to combat the problem, some of which the Premier has mentioned—for example, the police unit. The Criminal Justice Commission has also indicated that it will examine the problem.

Mr Fouras: The current processes are not working. Children are being abused every day of the week. They're not working.

Mr BEANLAND: The member for Ashgrove indicates that the processes are not working. His Government had six and a half years in which to refer these matters to the CJC. Nothing has been done. There is an opportunity for any one of us, including the member for Ashgrove, to refer such matters to the CJC. It has already indicated that it will investigate paedophilia. I invite anyone with any information to write directly to the Chairman of the Criminal Justice Commission, and I am sure that those matters will be investigated fully. I understand that every year members of the public write thousands of letters to the CJC about a whole range of issues.

The CJC can also examine the issue of prevention, which is one of the key issues in the whole debate. Clearly, there is no mention of prevention, only accusations. The motion does not mention prevention. I have heard some people speaking about the issue of prevention, and I agree that we have to do

some forward thinking and address that issue. There is no mention of preventing paedophilia and taking further action in that regard. The fact is that the organisations are there, whether or not they have acted in the past. There are three organisations that can act very rapidly. If another independent organisation were set up, it would be very similar to the CJC, which would probably get its nose out of joint and run a parallel investigation. Nevertheless, there is no guarantee that any new organisation would be quicker than those that have already been established, because other issues will arise that will have to be followed up.

Importantly, by this motion, Labor Party members are condemning themselves for their failure to act in the past and the organisations that exist to address the problem. If people have evidence and material on this very important national issue, it should be brought forward immediately. The second part of the motion contradicts the first part, and nothing will be achieved by knocking back the amendment that has been moved. In my view, the independent organisation which has the responsibility would correctly be the Criminal Justice Commission. If the Opposition wishes to go outside of that body, this motion does not say so. If the Opposition wishes to do that, it needs to reword the motion, because it does not say that at all. It needs also to include the word "prevention" so that in the future recommendations can be made for preventive action. Quite rightly, the member for Gladstone referred to the Sturgess report, which is a very good and worthwhile report. Some issues addressed in it could be followed up in the future.

Time expired.

Mr J. H. SULLIVAN (Caboolture) (6.39 p.m.): I rise to support the motion moved by the Deputy Leader of the Opposition. Let me say this in respect of the amendment to the motion, which I intend to oppose: the Premier, in seconding the amendment, stated that what the motion before the Parliament proposes exceeds what was agreed at the leaders conference. So what? I more than any person in this Chamber know what goes on in relation to national scheme legislation. The fact is that national scheme legislation adopts the lowest common denominator. We cannot confine our kids to the lowest common denominator. We must provide the protection that this independent authority would afford our kids.

Mr Stephan interjected.

Mr J. H. SULLIVAN: If the member for Gympie thinks that it is okay to confine our kids to the lowest common denominator, we will send all the paedophiles up to his area and they can play with his kids.

Since when do we allow the other States to kick Queensland around? Since when does Bob Carr tell Rob Borbidge what to do? What a ludicrous suggestion! Establishing our own commission does not mean that we cannot cooperate with the inquiries under way in other States. Of course we can cooperate with them! The Premier told us that Bob Carr asked everybody to adopt a prominent position. What could be more prominent than establishing our own commission? That is a move that this Parliament must support, and I plead for members opposite to examine their consciences when it comes time to vote on this matter. Members opposite should consider what people will say about them for dragging this State down to the lowest common denominator. Queensland is better than that, and it deserves a Government that is prepared to give it better than that.

I want to highlight a particular case that has occurred in my electorate in recent times. As the member for Gladstone said—but she used different words—our children are our future, and they are entitled to all of the normal protections of society and more. Paedophiles rob children of their innocence, and long-term studies show that the effects of child abuse and paedophilia are lasting and permanent. Yet there was previously a doctrine or an orthodoxy in the courts that said that, in the absence of proof that the particular victim would suffer long-term lasting effects, it would be wrong for the courts to impose harsh sentences in child sexual abuse cases. That approach did not wash well with the former Government, and our Attorneys-General appealed against the leniency of sentences handed down in such cases. I am pleased that the current Attorney-General, Mr Beanland, took such action in respect of a case that occurred recently in my electorate.

Mr Beanland described as manifestly inadequate a sentence handed down to a person who was found guilty of showing pornography to a four-year-old girl. In this instance, the court imposed a three-year probation period and 240 hours of community service and ordered the offender to pay compensation to the parents of the child. No conviction was recorded, which in the circumstances is significant. I am pleased that the Attorney-General took the decision to appeal against that sentence. However, the circumstances do bear consideration in

respect of the motion moved by the Deputy Leader of the Opposition that an independent authority be set up.

Firstly, the offender was provided with the opportunity to commit the offence as the spouse of a family day-care provider and in that capacity was a backup day-care provider. My advice is that once the initial allegation was made, the Day Care Association was just as shocked as the child's parents to discover that police checks on potential day-care providers do not include interstate checks. This is important, because it is my understanding that in this instance there is the possibility that the offender has an interstate history. On 22 April, at the conference that the Minister for Families mentioned, the Federal Minister, Mrs Moylan, indicated to the electronic media that this is a general problem and not one confined to Queensland. So, firstly, we have the problem of people who are being given the care of children not being subjected to proper checks.

Secondly, there is the matter of the offender's employment. This offender is a self-employed private security provider. In that capacity, the offender has access to children. I suspect that any number of parents would try to educate their children to seek protection from uniformed security providers—who are more plentiful these days—when police are not available. Had the offender been a member of the police force, he would not have been able to continue in his occupation, and the fact that no conviction has been recorded means that this offender currently continues to operate as a security provider. I ask whether the Parliament or the community would consider that to be appropriate.

There are some other issues surrounding this particular case that I will not have time to go into today. But let me say this: one of the things that this Government must have a look at—

Time expired.

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (6.44 p.m.): I want to place on record the efforts of the Queensland Police Service in relation to combating paedophilia. I find it rather peculiar that we are squabbling over a motion relating to an activity that every member finds abhorrent.

We support the motion of the Deputy Leader of the Opposition endorsing the commitment of the Government to cooperate fully with any Federal inquiry or initiative to investigate paedophilia. The Queensland Government will do anything and everything in its power to ensure that the activities of those

who prey on defenceless children for their sick gratification are stopped and that they are given the most severe penalties. I have already said that we will cooperate fully with the Wood royal commission in New South Wales, which as we are aware is uncovering some truly horrifying stories. The Assistant commissioner for State Crime Operations Command, Mr Graham Williams, has already stated publicly that any information from that royal commission which is referred to the Queensland Police Service will be acted upon immediately and will be investigated thoroughly. To this point, nothing has been referred to us from the Wood royal commission, but we want it on record that any such information will be investigated fully.

I want to place on record also that Police Service investigations into allegations of paedophilia are undertaken by the Child Exploitation Investigation Squad, which is part of the Crime Operations Branch in Brisbane. This squad consists of three detective sergeants, six plain clothes senior constables and an administrative assistant. These people target paedophiles. The squad does not seek to attack children but to stop the people who prey on them. Expert bodies must be established to stop paedophilia and other activities of a sexual nature in which children are the victims. This squad maintains very close liaisons with the Australian Federal Police, the National Crime Authority, Australia Post and Australian Customs as well as the Queensland Education Department/Criminal Justice Commission liaison officer to investigate complaints of a sexual nature against teachers. The squad also maintains links with relevant units of interstate and international police agencies and liaises closely with other Queensland Police Service officers Statewide who detect any possible evidence of illegal activity.

The point that I am trying to make is that if we establish yet another body, there will be too many conflicting authorities. We have already heard that the Department of Families, Youth and Community Care has a unit, and the CJC can also be utilised to undertake special investigations into paedophilia. There is already a squad in the Police Service which undertakes this type of investigation. I believe it would represent massive duplication to establish yet another authority. I see that as pointless.

Mr Elder: They don't go to those organisations because they don't work.

Mr COOPER: I believe that we must target those people who prey on children.

Paedophiles are pretty clever people, as we know. When I was Police Minister in 1989, we faced problems similar to those currently being encountered. I was amazed by the types of people who were involved in this sort of activity. The member would probably be aware that some paedophiles come from some unbelievable backgrounds. Paedophiles are very clever, cunning people and they sometimes have a lot of influence in society. If we want to stop the activities of these people, we must establish expert bodies. At present, many paedophiles get away with their sickening activities. The Labor Party had six and a half years to do something about this problem. What did members opposite do in their time? If they believed that it was such a great idea, why did they not set up this independent authority during their time in Government?

We must ensure that the units currently operating are doing their job and doing it properly. That is our role as a Government, and that is the commitment that we have given. A number of operations which have been carried out in recent times have led to a number of arrests. We have never got it totally right, and no Government ever will. At present, priority is being given to stopping the vile activities of paedophiles. We will maintain that priority. I am sure that both sides of politics agree that such matters should be given high priority. If we want to detect such illegal activities, we must have properly resourced expert bodies so that we can target those who seek to prey on our kids. A sufficient number of bodies currently exists. This Government intends to continue to pursue this issue.

Time expired.

Mr T. B. SULLIVAN (Chermside) (6.49 p.m.): Vulnerable people need protection and support. We do this in many ways and in many aspects of our society, whether it be with the elderly or children. The protection children need can take many forms, whether it be protecting them from bullying in the schoolyard or, in extreme cases, from incest, rape and paedophilia. Those last-mentioned activities destroy the trust that children naturally place in other people. The beauty of children is that they are innocent, they are trusting and they naturally give and receive love without question. The activities of paedophiles and others who are involved in severe child abuse through incest and other activities of a similar kind destroy that basic trust. There are already many reports outlining such activities. Whether it be the Burdekin report of 1988 or the Morris report of 1995, we are told what many of the background

problems are. Two types of children who are particularly vulnerable are the homeless and those in institutions. They face a particular set of problems and are preyed upon in particular by paedophiles.

I believe that part of the solution is the establishment of a statutory authority—an independent commission—which has the specific goal of providing an overall protection for children. Many aspects could be investigated. It must be linked in with the provisions of health, housing, education, child care and family services support. Any family service officer in the State could relate many stories of abuse within families where the parents are not coping and the basic role of parenting has broken down. Often, the children from those families are left to their own devices and are preyed upon by people who use children as objects of sexual pleasure. I am disturbed about the scrapping of the Positive Parent Strategy, for which the former Labor Government had allocated \$14.5m over five years to help Queensland families cope with the responsibility of parenting, with particular regard to child behaviour and development.

A number of groups work towards the prevention of child abuse. They work on a voluntary basis, but they must have Government support. Over and above that, if there was a statutory authority—an independent agency—which had as its particular goal the supervision and the oversight of protection for children and was able to make suggestions to Government about what was needed, I believe that our children would be better protected. It is ironic that there are established standards and accreditation in a number of sectors of our society, for example, child care, education and aged care, yet we do not seem to have an overseeing body that would help get rid of the scourge of paedophilia within our society.

I support the move by the Deputy Leader of the Opposition to endorse the commitment of the Queensland Government to cooperate fully with any Federal Government inquiry or initiative into paedophilia. I believe that the Government should immediately work to establish an independent authority to fully investigate accusations of paedophilia in this State and to find some practical solutions to this problem, so that our children will have greater protection from those who are preying on them in this disgraceful way.

Question—That the words proposed to be omitted stand part of the question—put; and the House divided—

AYES, 43—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Burns, Campbell, Cunningham, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Goss W. K., Hamill, Hayward, Hollis, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells, *Tellers*: Livingstone, Sullivan T. B.

NOES, 41—Baumann, Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Healy, Hegarty, Hobbs, Horan, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson, Woolmer *Tellers*: Springborg, Carroll

Pairs: Woodgate, Harper; Gibbs, Johnson

Resolved in the affirmative.

ADJOURNMENT

Mr FITZGERALD (Lockyer—Leader of Government Business) (7 p.m.): I move—

"That the House do now adjourn."

Concerned Citizens for Mundingburra

Mr BARTON (Waterford) (7 p.m.): Tonight I want to speak about the Concerned Citizens for Mundingburra. It is very important that, now that the facts are emerging about this issue, we should examine them. And what a sorry tale it is. The Minister for Police and Corrective Services is making statements in this House acknowledging some of what has occurred. On 2 April, the Minister refused to answer questions, claiming that the matter was sub judice because of the investigations that were then taking place, which did not concern the Concerned Citizens for Mundingburra but certainly should have. The Minister has now reached the point at which he is making ministerial statements almost on a daily basis. He thinks he protesteth too much.

What has emerged because of questions from Opposition members is a range of facts that need to be put on the record in this House. The Concerned Citizens for Mundingburra was a covert National Party campaign. It was organised by National Party members, not ordinary citizens of Mundingburra. In fact, most of those who were acknowledged in the newspaper and by themselves were not even citizens of Mundingburra at all. The campaign was funded by National Party members—we are told 27 of them; we do not have all their names. Now they have acknowledged who many of the organisers were and the amounts

of funding that were contributed. Importantly, the funds were laundered through the Alice River branch of the National Party. There could be no better indicator of the fact that this was a covert National Party operation. Of course, it was fronted by a National Party spokesman, now the Minister for Police and Corrective Services. Another fact that has emerged is that that was done with the knowledge and approval of the Liberal Party Mundingburra campaign.

Another fact known by everybody who was in Mundingburra during that campaign is that the TV advertisements were run back to back, dovetailed with the Police Union campaign advertisements and organised by exactly the same advertising agency. Those advertisements were dovetailed together to gain the maximum impact. What a funny coincidence that those covert campaigns were being run at the same time. The campaign was authorised by a recent arrival from Victoria, Mr Robert Purcal Owens, who was difficult to locate at that time, but has since come out.

The answer to the question of why Mr Owens was the person who authorised the campaign is: because he was somebody whom nobody knew. All the others were known National Party operatives. They needed a cleanskin. To use Mr Cooper's words, Mr Owens was the "poor coot" who got conned by his boss, who was used as the cleanskin, because none of the others who were putting the funding into the campaign dared show their faces. The fact that they used somebody whom nobody knew ultimately raised the suspicions that led the Opposition and everybody else to the National Party.

What is wrong with what they did? I suggest that it was hardly truth in advertising, something about which we heard a lot from the current Premier during the last election and on other occasions. That was certainly not a group of genuine, independent, local, concerned citizens. Why did the Nationals not campaign openly. They perpetrated a con on the Mundingburra electorate.

Now, having helped the Liberals win, look at how the Concerned Citizens come out—so arrogant, strutting out for the press, gloating in photographs in Saturday's *Courier-Mail*. They should have done that during the time that they were funding and running a covert campaign. It is not over yet. Some questions still remain tantalisingly unanswered. Just what is the link to the Police Union's campaign? How much did the Liberal Party know? How much did open and honest Frank Tanti know

health care close to where people actually live;

- (d) failing to instruct the Cairns District Health Service to immediately resolve the shortfall by purchasing emergency supplies of panadol from local suppliers or pharmacists; and
- (2) calls on Mr Horan to explain to the Parliament why he allowed this health crisis at Yarrabah to continue for over three days; and asks him to apologise to health workers, doctors and patients caught in the middle of this disgraceful example of bureaucratic red tape."

Higher Education

Mr BREDHAUER (Cook) (10.16 a.m.): I give notice that I shall move—

"That this House notes today's national day of action by the higher education sector, including students, staff and lecturers from all Queensland Universities to protest against funding cuts by the Federal Government and

That this Parliament supports the campaign and calls on the Federal Government to honour its election promise not to cut funding for higher education."

Olympic Athletes

Mr CAMPBELL (Bundaberg) (10.17 a.m.): I give notice that I shall move—

"That this House congratulates our Australian Olympic athletes on their magnificent performances at the Atlanta Olympic Games and on winning the most medals ever in the history of our nation's participation in the Olympics and that we congratulate all of our Queensland-based athletes on their sportsmanship and achievements, especially our medal winners—

Kieren Perkins, Susie O'Neill, Cathy Freeman, Samantha Riley, Daniel Kowalski, Katrin Borchert, Anna Wood, Baeden Choppy, Tanya Harding, Joyce Lester, Carolyn Crudington, Frankie McRae, Haylea Petrie, Jenny Whittle, Nicole Stevenson, Renita Farrell, Clover Maitland, Jennifer Morris, Kim Cooper, Sandy Brondello and Clint Robinson

And that this House urges all patriotic Queenslanders to attend the 'welcome home' parades planned in Brisbane and on the Gold Coast."

Mr SPEAKER: Order! Does the member wish to congratulate also the Minister for Sport?

PRIVATE MEMBERS' STATEMENTS

Performance of Government

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.18 a.m.): I rise today to raise concerns about the arrogance of this Government in ignoring the wishes of this Parliament. On 1 May, Parliament called on the Government, in a resolution passed by this House, to immediately establish an independent authority to fully investigate accusations of paedophilia in this State. I gather that there is a draft Bill somewhere, but there has been no action. The Bill has not been introduced into the Parliament. The Government has not taken immediate action as required by the Parliament.

Secondly, on 25 July, the Parliament required the Premier to set a by-election date in Lytton as soon as possible to reinstate representation for the voters of Lytton in this Parliament. Again, the Government has failed in its duty to democracy. No date has been set for the Lytton by-election. The Government has flagrantly thumbed its nose at this Parliament. The people's House has been ignored.

Last night, Parliament called on the Government to reverse its decision on privatising school cleaning. Parliament called on the Government to honour its promise not to contract out school cleaning. Its plan was for more than 5,000 Queenslanders to join the dole queue two weeks before Christmas. Many of those cleaners demonstrated their concern by travelling to Parliament last night to listen in the gallery to the debate. All we had from the Minister today was that he tried to describe them as a rent-a-mob. He has insulted every cleaner in this State. What a disgrace he is!

The Government can find \$200m to abolish a tollway in the Treasurer's own electorate and \$70m to play on the share market to buy Metway shares, but it cannot find enough money to employ 5,000 cleaners. What is the Government going to do? Is it going to follow the wishes of this Parliament, or is it going to treat Parliament with contempt and ignore the people's House? That is the question the Government needs to answer,

Filed by the Printer
28/5/03
[Signature]

and it needs to answer this question also: when is it going to follow the wishes of this Parliament?

Time expired.

Toowoomba Hospital

Mr HEALY (Toowoomba North) (10.20 a.m.): The Health Minister, Mike Horan, recently announced \$155,100 in funding to provide extra equipment to assist the Toowoomba Hospital to reduce its waiting times for elective surgery. This additional funding backs up the coalition Government's promise to the people of Toowoomba and surrounding districts to reduce unacceptable waiting times for elective surgery. The additional equipment approved for the Toowoomba Hospital includes a surgical admission unit, the replacement of surgical equipment and theatre equipment for the day surgery unit. This is just the start of more good news for the Toowoomba Hospital, with further announcements to be made in relation to accident and emergency, intensive care and medical imaging. This new equipment will allow better utilisation of the day surgery unit at the hospital.

It was an absolute disgrace that the day surgery unit, opened in 1992 by the previous Labor Government, had never been fully utilised due to a lack of funds and very poor planning. The funding for new equipment is part of a \$1m package allocated under the Statewide Surgery on Time plan launched recently by the Health Minister. The extra funds will enable Queensland's 10 major public hospitals to gear up for a major assault on waiting times. The coalition Government is providing the action plan, setting the targets, training the staff and delivering the extra equipment needed for Queensland's public hospitals to make major inroads into elective surgery waiting times.

A waiting list audit at 30 November 1995 of Queensland's 10 major public hospitals revealed that 43 per cent of Category 1 patients, or 492, had waited more than the maximum recommended 30 days, and that approximately 24 per cent of Category 2 patients—in excess of 5,000—had waited more than the recommended 12 months. By 31 December this year, this Government aims to have more than 90 per cent of the urgent Category 1 patients treated within the clinically appropriate 30 days. As Surgery on Time progresses it will ensure that we reduce the waiting times across all elective surgery operations carried out in Queensland's public hospitals.

Budget Surplus

Hon. D. J. HAMILL (Ipswich) (10.22 a.m.): I had a sense of déjà vu this morning when I listened to the Premier and the Treasurer in this place. I remember well the days when Liberal and National Party politicians came into this Chamber and vilified critics of the Government and smeared and tried to denigrate them when they had the temerity to raise issues of public concern. The Premier did it this morning with his attack upon the *Courier-Mail*, and the Treasurer did it in her attempt to denigrate the independent analysis produced by Dr Neal Ryan of the QUT, which I table. That puts the lie to the repeated claims by the Premier and the Treasurer that there was a financial crisis in Queensland.

The arrogance of the Treasurer is there for all to see. She tried to link Dr Ryan and the ALP. She should have gone a bit further. She should have mentioned the fact that the figures that Dr Ryan was using were Treasury figures. Maybe she should have linked the Treasury, Dr Ryan and the ALP. The Treasurer might also have referred to the fact that the figures that Dr Ryan was using were published by the Commonwealth Treasury. Maybe they are part of the conspiracy—although, of course, the Premier confirmed the Commonwealth figures when he acknowledged that there would be a massive underlying Budget surplus of as much as \$1 billion. He said words to that effect a few weeks ago in the Parliament. Maybe the Treasurer should have gone a bit further and linked in her Under Treasurer, Dr McTaggart, who told members of the Parliament on Monday that there would be a \$5m surplus in the Budget at the end of last financial year. Maybe the Treasurer should have linked herself into the same conspiracy, because she has been forecasting a Budget surplus for the end of 1995-96.

This Treasurer is clearly not up to the job. She continually puts politics ahead of good financial management. She continually puts her own interests ahead of the interests of Queensland. She did it with the motorway. She can find money for that, but she cannot find money for school cleaners. There is no financial crisis. There is no underlying Budget deficit. All the indicators show quite clearly that Queensland is in a sound financial position. This Government is putting politics ahead of the public interest—a Government that is trying to mislead the people of Queensland.

Time expired.

*Submitted by the
Premier
28/5/03*

(29)

2910

Questions Without Notice

19 Aug 1997

who made up the original Court of Appeal, that court having been set up by the major reform legislation of 1991, namely, the Supreme Court of Queensland Act, which introduced important reforms to the structure and administration of the courts in Queensland.

Time expired.

QUESTIONS WITHOUT NOTICE

Children's Commissioner

Mr BEATTIE (10.30 a.m.): I refer the Minister for Families to comments made by the Police Minister's crime adviser, Bob Bottom, on ABC Radio yesterday that he and a number of others were present at the weekend when the Children's Commissioner "opened up his commission to receive witnesses" and again "hear evidence about the claims of child sexual abuse", and I ask: as the Children's Commissioner has no legislative powers under the Act to investigate complaints of alleged offences involving children but must immediately refer all such complaints to the Police Commissioner, on what legislative basis did the Children's Commissioner hold these hearings and what legal protection is afforded to genuine people who may have come forward in good faith to give evidence?

Mr LINGARD: The role of the Children's Commissioner will be a monitoring role in a watchdog position. When he receives a complaint, he will be able to refer that complaint either to the CJC or to the police task force. That is the role of the Children's Commissioner. The role of the Children's Commissioner is also to monitor whether that action has been carried out. There have been a couple of circumstances already that obviously we cannot expose to the media in which the Children's Commissioner certainly has not been happy with the report that either the CJC or the police force have brought back and has asked for a further report. Obviously, the role of the Children's Commissioner is to refer matters to the police and the CJC and see that appropriate action is carried out. Certainly, as far as I am concerned, that is the only role that the Children's Commissioner has.

Paedophilia, Royal Commission

Mr BEATTIE: I ask the Premier: how can he believe that claims of widespread sexual abuse of children in Queensland by organised paedophilia rings operating with police protection do not warrant investigation by a royal commission when he has just wasted \$14.5m of taxpayers' money on a political

witch-hunt to destroy the independent Criminal Justice Commission?

Mr BORBIDGE: May I start by correcting the Leader of the Opposition? It was \$7m, not the \$14m he has been claiming. There is a bit of difference—he is 100% wrong. Let us have a look at this issue dispassionately. Certain information was given to Mr Fitzgerald during the conduct of the Fitzgerald commission of inquiry. For whatever reason—and I understand it was because he wanted to wind up his inquiry—Mr Fitzgerald did not follow through on that particular line of investigation. It was my understanding and, I thought, that of everyone in this place that the mechanisms that created the Criminal Justice Commission would continue the work of Mr Fitzgerald.

I just make the observation that I was not the Premier in 1990. We were not the Government in 1990, 1991, 1992, 1993, 1994 or 1995. We were not the Government until the early part of 1996. That begs the question: what did Labor do? We had this extraordinary outburst by the member for Whitsunday yesterday in which she said that in 1991 she knew of some sort of widespread paedophilia network in the Whitsundays. In fact, she made comments last night that apparently it could be accessed from resorts in her electorate. The honourable member sat on the Parliamentary Criminal Justice Committee. What did she do? Did she refer it to the CJC? Did she refer it to the Chairman of the Parliamentary Criminal Justice Committee?

I noticed that she was in an interview last night on Channel 7 and the interviewer said, "What did you do, Mrs Bird?" She said, "I told Peter Beattie." Did she tell the then Police Minister? Did she tell the people who served as Attorneys-General in the Government of which she was a member? These are some answers that the member for Whitsunday should be providing. Then to almost forget about it for a period of seven or eight years until there is a change of Government is the height of hypocrisy. Is it not interesting that she had nowhere to go to take these claims until this Government and this Parliament gave her a Children's Commissioner? Now, because of the mechanisms that this Government has put in place, she is at long last apparently deciding to refer this matter to appropriate authorities.

I can understand the tourism industry in the Whitsundays feeling totally betrayed by the honourable member. We on this side of the House, through the Queensland Tourist and Travel Corporation, have just been engaged in a very substantial promotional campaign to try

to turn tourism in the Whitsundays around and it has been having some effect on tourism numbers in that region. I can confirm that the local tourism operators have been in touch with my office this morning. They want to meet with the Government as soon as possible to see what can be done to address the damage—the economic damage—to businesses in the honourable member's electorate as a result of the outrageous comments that she made yesterday.

Mrs Bird: What about the kids?

Mr BORBIDGE: I saw the member on the evening news. I know what she said. She said that paedophilia can be accessed through any resort—all of the resorts. What a disgraceful exhibition in terms of her own electorate! Under this Government, there is now a Children's Commissioner. At long last the member for Whitsunday has somewhere to go.

Mr ELDER: I rise to a point of order. We have a Children's Commissioner with no powers, so does that mean that we do not have a royal commission?

Mr SPEAKER: Order! There is no point of order. The honourable member will resume his seat.

Secret Investigation of Criminal Justice Commission

Mr SPRINGBORG: I refer the Honourable the Premier to Labor Party criticism of the Government's proposed reforms of the Criminal Justice Commission and ask him to inform the House of details of the former Labor Government's secret CJC review carried out by the Office of the Cabinet.

Mr BORBIDGE: It is interesting that this Government is being criticised by honourable members opposite with regard to implementing what was an election commitment that we took to the people of this State in 1995. We had an inquiry. The CJC knew about it. It could appear before that inquiry. It was represented and it subsequently took legal action.

Let us look at what the other mob left behind. I have here a file headed "Office of the Cabinet, Queensland, Restricted Access, Criminal Justice Commission, Criminal Justice Act and Related Matters"—a secret investigation into the CJC! I have a number of such files here. The CJC did not even know about it! I will quote from certain of these documents. Here it all is, the Labor Party's stacked Cabinet Office investigation into the Criminal Justice Commission which was carried

out in secret. There it all is. It did not tell the Chairman of the CJC.

Let us have a look at some of the more interesting documents, which I will table. Firstly, there is documentation relating to the Cabinet decision. Secondly, there is a letter from the Chairman of the CJC at that time, Mr O'Regan, to the co-chairpersons of the Criminal Justice Act Interdepartmental Working Group, Office of the Cabinet. Then there is a letter from the then Attorney-General, Mr Wells, to the then Premier. I will come back to that a little later. In a letter to Mr David Hook of the Department of Justice and Attorney-General, which I also table, we had the then Premier's views on what changes should be initiated in respect of the Criminal Justice Act.

Let us go through the history of this matter. On the express wish of the then Premier, by Cabinet decision 02623 of 14 December 1992, the former Labor Government established an interdepartmental working group under the control of the Office of the Cabinet. Do members remember that? That was headed up by Kevin Rudd, the former failed Labor candidate, to "examine the reports of the PCJC on the operation of the PCJC and the CJC and to review the Criminal Justice Act generally".

Opposition members: What's wrong with that?

Mr BORBIDGE: Members opposite should keep listening. By letter of 19 August, the then Attorney-General and Minister for Justice, the member for Murrumbidgee, outlined to the Premier a proposed plan of action for the group, which was to have technical amendments ready by mid-year, that is, mid 1993 and substantive amendments ready for the end of the year, that is, the end of 1993. That process was approved by the then Premier.

The broad terms of reference for the group were outlined in a letter from the joint chairs from the Office of the Cabinet to members on the eve of the first meeting in February 1993—a secret review. Those terms of reference were: to review the recommendations contained in the reports of the PCJC relating to the amendment of the Criminal Justice Act 1989; to review any other necessary changes to the Act; and to report to Cabinet on any other matters relevant to the Act and the Criminal Justice Commission.

The membership of the group, however, was not nearly so broad. It is interesting that neither the CJC nor the PCJC were represented. Significantly, the Chair of the CJC, Mr Rob O'Regan, became aware of this

review—in relation to the fact, the intent and its membership—only in August 1993, nine months after the Cabinet decision. Nine months after the Cabinet decision, the then Chairman of the Criminal Justice Commission wrote to the group. Needless to say, he was not amused. I will quote Mr O'Regan's letter, which I have tabled. He said—

"I must say that I am somewhat puzzled about the composition of your Group and the nature of its deliberations. After all it seems to me that the Parliamentary Criminal Justice Committee is the body charged with the responsibility under ... the Criminal Justice Act 1989 of reporting to the Legislative Assembly and to the Minister as to further action that should be taken in relation to this Act or the functions, powers and operations of the Commission."

His letter then went on to say—

"That has been done. Thereafter, I should have thought it would be for the Attorney General as the relevant Minister under the Act, then for Cabinet, and ultimately for the Legislative Assembly to decide what should happen to the Committee's recommendations."

Mr O'Regan's letter went on to say—

"Furthermore, while I appreciate that the Office of Cabinet may seek advice from any source it chooses I do not understand why it is that officers of the Police Service and Public Service Management Commission are members of your Group. Under the Act, the Commission oversees the reform of the Police Service and investigates alleged or suspected misconduct and official misconduct by members of the Service. It is to say the least incongruous to have members of the Police Service now reviewing the CJC."

But that is what members opposite were doing when they were in Government.

When the working group was established, Mr O'Regan did not even know about it. But then, like so much else that the previous Labor Government did, he did not really have to know about it, because it did not get anywhere. From December 1992, when it was decided upon by Cabinet, until February 1996, when Labor left office, this high-powered task force—controlled by the Executive and, in fact, controlled by the card-carrying Labor Party candidate for the Federal Labor seat of Griffith—went absolutely nowhere in relation to reforming the commission via its Act. Over

more than three years, nothing happened. It is actually worse than that, because that was also the extent of action by the previous Government on the CJC right up to the time that the interdepartmental working group was established.

So the period of inaction by the Labor Government on anything but minor and technical amendments to the Act—over six years—was effectively zero. That is so typical. On paedophilia, the action was zero and on the CJC, the action was zero. Yet members opposite have the gall to criticise us for establishing a full and open inquiry in which the CJC could participate and in which the CJC, if it wanted to, could allege bias. There is no way that the CJC could have alleged bias into that inquiry, because it did not know it was going on. It was being conducted in secret by the Labor Party operatives who controlled the Office of the Cabinet. To be fair to them, they did not report, but after six years they did get a draft interdepartmental working group review of the Criminal Justice Act options paper. So there was a draft options paper, which I will also table.

These documents show the absolute duplicity and hypocrisy of the Labor Party—Labor's secret investigation into the Criminal Justice Commission, about which the Criminal Justice Commission and the Chairman of the Criminal Justice Commission knew nothing. Therefore, if it was secret, there was then no option for the CJC to take legal action, because it did not know that it was going on.

Connolly/Ryan Inquiry

Mr FOLEY: I refer the Attorney-General and Minister for Justice to his submission to the Supreme Court of Queensland through his counsel, Mr Tom Hughes, QC, that conduct by Mr Carruthers was "not territory open to Connolly/Ryan". I refer also to the finding by Justice Thomas in the Supreme Court that "the Commissioners acted outside their terms of reference whilst Mr Carruthers' inquiry was still current in the enforcement of their process upon Mr Carruthers and in determining to proceed with an examination touching his conduct", and I ask: when did the Attorney-General become aware that the Connolly/Ryan commissioners acted outside their terms of reference in investigating Carruthers? Did he discuss this matter with Premier Borbidge and Police Minister Cooper? If so, what was their response? Does he not accept that it was a dereliction of his duty to fail to take steps to

Tabled by the Premier
[Signature]
28/5/03

30

26 Aug 1997

Matters of Public Interest

3185

older people, families, service providers and other interested people. The new service, called the Guide to Legal Issues, is an additional resource which brings together the range of legal information relevant to situations of abuse of older people in Queensland.

The need for services working with older people and their families to have accurate information on the range of legal options has been recognised and addressed in this important document. Therefore, I believe that our commitment to maintaining domestic violence programs for women has been agreed to and kept. We have certainly given a commitment to expand domestic violence programs to cover children, men who are either victims or perpetrators, and the elderly.

Attorney-General and Minister for Justice

Mr HAMILL: I refer the Deputy Premier, Treasurer and Leader of the Liberal Party to the Cabinet meeting in late July at which she raised concerns about the Attorney-General's failure to contain the escalating costs of the Connolly/Ryan inquiry, and I ask: if she was so concerned about the inquiry's costs in July, why did she not, as Liberal Leader and Treasurer, order the Attorney-General to stand up to the Nationals and stop this disgraceful \$14.5m waste of taxpayers' money on a political witch-hunt?

Mrs SHELDON: The member has no idea what happens in Cabinet, so the question is totally irrelevant.

Renewable Energy Initiatives, Torres Strait

Mr ROWELL: I ask the Minister for Mines and Energy: could he advise the House what he has done about renewable energy initiatives in the Torres Strait?

Mr GILMORE: It is with very great pleasure indeed that I inform the House that, a couple of weeks ago, I was on Thursday Island to commission the wind-powered generators there. A \$2.5m plant which was installed by the FNQEB will take advantage of the prevailing trade winds that almost always blow in the Torres Strait and are, therefore, a very important and available supply of energy for the Torres Strait. The two wind generators will provide about 10% of the electricity needs of the islands. However, on some days they will produce up to 24% of the islands' electricity needs.

Mr SPEAKER: Order! The time for questions has expired.

MATTERS OF PUBLIC INTEREST

Crime Commission

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (11.29 a.m.): Before I make my contribution in relation to the State crime commission, it is important that I observe that, in the Parliament today, the Minister for Industrial Relations refused to support the Attorney-General. Not on one occasion during his long-winded answer did he seek to support the Attorney-General, which shows the divisions and the split within the Liberal Party.

Yesterday Cabinet started the establishment of what could only be described as a political crime commission. In doing so, the Government is turning the public's watchdog—that is, the CJC—into what it believes will be a lap-dog for the Government. Putting Police Minister Cooper in charge of the new State crime commission is like putting Christopher Skase in charge of the Reserve Bank. Not once did the Police Minister—and we gave him the opportunity—rule himself out as being one of the key people in the running of the State crime commission. We gave him the chance, and he refused to do it. Even Bill Gunn, the former National Party Deputy Premier who set up the Fitzgerald inquiry, said that the Government is doing the wrong thing in relation to the crime commission. Police Minister Cooper is the man who drew up the secret memorandum of understanding that sought to emasculate the CJC. He is the "Minister for Secret Deals". It would be inappropriate for him to have any key role in running the crime commission.

You must remember, Mr Speaker, that Police Minister Cooper is the man who appointed to his personal staff discredited prison guard Pat O'Connor. Mr O'Connor was the man who once boasted to the CJC that he wanted to bring the Corrective Services Commission to its knees. Police Minister Cooper is the man who appointed Matthew Heery to his personal staff. Yesterday's Cabinet decision began the process of tearing up the Fitzgerald reform agenda. Let that be very clear. Even Sir Max Bingham, the former head of the Criminal Justice Commission, was quoted on radio this morning as saying that Russell Cooper should not be the head of or involved in the State crime commission.

Police Minister Cooper is the man at the centre of the Carruthers inquiry. I remind the House that counsel assisting the Carruthers inquiry said that there was enough evidence to support a charge against Police Minister Cooper. It took the \$11m Connolly/Ryan inquiry to get Mr Cooper and the Premier off

the hook. The Premier can come in here and talk about Townsville and about people who were involved in alleged activities up there, but I point out that those people had their day in court. The Premier and the Police Minister got themselves out of the dock. That was the only time in the history of this State that the people in the dock got rid of the judge. At least the Opposition did not interfere with the judicial process in Townsville; we believed that it should run its full course.

Now the man who was in the dock, Mr Cooper, will have the power on the board of the new commission to oversee decisions to use very substantial police powers, such as bugging peoples' homes. The Police Minister may be sitting as one of the directors and, indeed, possibly as the person running the crime commission through its board. The man who was in the dock is on the board of this body with unfettered powers. That is not good enough. Organisations such as that should be accountable to a bipartisan parliamentary committee, but it has been politicised by the Police Minister's intention to be one of the members of the board. For the information of the House, I table a letter that I wrote to the Premier about the need for bipartisanship on this issue. We have not had one approach from this Government in relation to bipartisanship. I remind the House that the Fitzgerald process requires that. Honourable members will all recall that former National Party Premier Ahern, then Labor Leader Wayne Goss and then Liberal Leader Angus Innes all came together to provide some bipartisanship when the CJC was being established. That has been abandoned by this Government. We have had no approaches. Now it is too late: the decision was made yesterday to establish the crime commission and, at the same time, emasculate the CJC.

I have other concerns. For example, political adviser to the Minister for Police, Bob Bottom, is also a consultant to the Children's Commission. I place on the record that I have concerns about that. It seems to me to be very clear that there is a conflict. That person plays a political role in services to the Police Minister, and he plays another role in relation to the Children's Commission. That raises concerns for the alternative Government. Indeed, it raises the possibility of conflict. I set on record today my concerns about that conflict.

That is not the only politicisation of the crime commission. It has been further politicised by the floating of the name of former New South Wales Liberal adviser and staffer, Gary Sturgess, as its first director. Today the Premier was given an opportunity to

rule out Mr Sturgess' appointment. He refused to do so. In our view, although Mr Sturgess may have some positive attributes, he is most unsuitable as a nomination for the head of the State crime commission. How did Gary Sturgess' name get in the Courier-Mail? It got there because the Premier's office gave it to the Courier-Mail. All the Courier-Mail did was to report faithfully the material that it was given by the Premier's office. How did Peter Connolly's name get out? In exactly the same way! Today the Premier did not rule out Gary Sturgess.

Gary came to prominence as a Liberal adviser and staffer to New South Wales Premier Nick Greiner. He was also a candidate in Ashgrove for the Progress Party. As honourable members will recall, that was quite a Right Wing political party. He may have some public administration skills, but he is not a crime fighter. At the earliest opportunity, the Opposition warned that Peter Connolly would not be acceptable in an inquiry into the CJC. Today we warn that it would be unsuitable to appoint Gary Sturgess to head the crime commission and that it would be unacceptable to have Police Minister Russell Cooper as one of the four major people running the crime commission.

This would all have been avoidable had there been some commitment to bipartisanship. What we see today is not bipartisanship from this Government; we see a rerun of the memorandum of understanding. This is all about implementing the intended secret agenda of the MOU. As I put to the Premier this morning, have members opposite not learnt anything from the Connolly/Ryan debacle? We have a politically biased and politically motivated State crime body being thrust upon us. There was no pretence of consultation; there was no review. Until this week, the National Party tried to pretend that its attack on the CJC was not revenge. What a lot of nonsense! The Government has now thrown bare exactly what it was doing. The National Party said that it would only carry out the review that was promised before the election. Some review—this is about the destruction of the CJC! It is now plain for all to see that this is pure revenge. The CJC is being killed off. Why is the National Party not prepared to adopt a bipartisan approach? Why are the Liberals not looking after the public interest by attacking the Nationals and defending those matters of integrity? The issue is very clear: this is about revenge; it is about getting square with the Fitzgerald reform process, because the National Party blames it for the loss of the 1989 State election. I

repeat: the Fitzgerald reform process was successful because of bipartisanship. We see none of that in this process. The three leaders agreed on an agenda; we see none of that today.

I turn now to the issue of paedophilia because the Government used paedophilia as a smokescreen to destroy the CJC. There is no way the State crime commission will be established before April/May next year. What happens to the investigation of paedophilia in the meantime? What happens to the comments made by the member for Gladstone that she wanted this matter investigated? What happened to the Opposition's concerns and our support for a royal commission? No thorough investigations of paedophilia will occur before April/May 1998. All I can say is this: if that is what the Parliament supported, it did not and does not have the support of the Opposition. We will oppose a politically motivated crime commission where there is the possibility of significant political involvement that could infringe the basic rights of Queenslanders by destroying people's lives and bugging their homes. Police Minister Russell Cooper should be the last member of Parliament to be sitting on a State crime commission.

Electoral Fraud, Australian Labor Party

Mr TANTI (Mundingburra) (11.40 a.m.): Honourable members are well aware that the Labor Party is in self-destruction mode over instances of vote rigging and branch stacking in the Townsville region. They are best summed up as the "Mooneygate" affair and the guilty plea from ALP member Andrew Kehoe in the Townsville Magistrates Court to 10 counts of electoral fraud. It is well known that Labor did not want a court case, which would have exposed the widespread rotting of its branch structure by those with political egos and ambitions.

Today, I would like to outline the next chapter of this saga of Labor Party rotting involving the Labor Party's candidate for Thuringowa, Karen Ehrmann, and Ludwig-anointed Senate hopeful, Joan Budd. Labor, and Ms Ehrmann in particular, may have thought that it was all over following Ms Ehrmann's exoneration by the party's disputes tribunal hearing. However, since then active but disgruntled Labor supporters have come forward with more information.

Such information indicates that there are serious questions to be asked, such as how a person named Gerd Johannsmann, who was not an Australian citizen and not enrolled, was

allowed to vote in the Thuringowa plebiscite on the advice of Karen Ehrmann; how 105 people of the 135-member Heatley/Vincent branch had their tickets issued on three separate dates in February and March 1996; how statutory declarations by people who state that they have never attended an ALP branch meeting and have never paid for party membership have Karen Ehrmann collect Labor Party mail from their residences without their consent; how statutory declarations show that people are not aware of their ALP membership and associated address irregularities; as the Premier highlighted earlier, how there was the alleged interference in the disputes tribunal by a senior State Labor Party identity contacting a north Queensland State parliamentarian the night before the tribunal hearing to advise that a factional deal had been done and that the candidate would be exonerated; how general returning officer Joan Budd could claim before the tribunal that it was none of her business where people actually lived in terms of their eligibility for plebiscite lists; and how a statutory declaration from a Tania Maree Meredith states that Karen Ehrmann paid a person's party membership each year in exchange for his vote.

I now table documents relating to the issues that I am addressing. I point out that they are an example of the vast amount of material that has been made available to me. In short, they outline a sordid saga of branch stacking and vote rigging that has not only impacted on Labor's internal processes but also has cast a cloud over the validity of the State and Federal electoral rolls for the region. In that regard, I believe that those documents and other information that should come forward warrants further investigation by the Federal Attorney-General and possibly the State Electoral Commission.

Members may have seen media reports in the Townsville Bulletin stating that Karen Ehrmann had admitted to using a Mr Eric Hogeboom to collect ALP preselection ballot papers for the party's candidate for Townsville, Mike Reynolds. That reported admission by Ms Ehrmann followed a letter from Mr Hogeboom to the Townsville Bulletin in which he claimed that he acted with the signed authority of the property owner. In attempting to dismiss the issue, Karen Ehrmann said that the collection had to be done as a precaution because the resident was not at home during the day, that she had handed the paper directly to the ALP member concerned and that that person had filled out the accompanying form and posted both of those forms to the returning officer. In other words, Karen Ehrmann was only helping

[Search](#) | [Subscribe](#) | [Unsubscribe](#) | [Check or change subscription](#)**Search**

Current
Beattie
Government
22 February
2001 to present

Previous
Beattie
Government
26 June 1998 to
22 February
2001

Borbidge
Government
7 August 1997
to
26 June 1998

**Families, Youth and Community Care/Disability
Services****The Hon. Anna Bligh MP****25 November 1998****Discussion paper released on review of Children's
Commission Act**

The Queensland public is being urged to become involved in discussions about the future role of the Children's Commission.

The call follows the joint release of an issues paper by the Minister for Families, Youth and Community Care, Anna Bligh and Queensland's Children's Commissioner, Norm Alford.

The issues paper was developed as part of a review of the Children's Commissioner and Children's Services Appeals Tribunals Act 1996.

"Queensland is the only State in Australia with its own Children's Commission.

"This Government is committed to ensuring the principal advocate of children in this State has the best tools available to carry out its statutory duty of representing the rights and interests of Queensland's children," Ms Bligh said.

Ms Bligh said the review of the Children's Commission legislation was a Labor Government election promise.

"Within the first five months of office the Beattie Government established the Forde inquiry into institutional child abuse and introduced the strongest child protection legislation in Australia to the Queensland parliament.

"The review of the role and function of this important legislation is another example of the Beattie Government's commitment to improving Queensland's child protection system."

Children's Commissioner Norman Alford said it was essential that community groups and individuals put forward their views for changes to the legislation.

Mr Alford said the Queensland Children's Commission was the first to be established in Australia, although a Tasmanian Children's Commission was expected to commence operations in January.

Copyright | Disclaimer | Privacy

© The State of Queensland
(Department of the Premier and
Cabinet) 2002.

Queensland Government Gateway

"When the legislation was drafted two years ago we were breaking new ground," he said.

"It was always anticipated the legislation would need fine-tuning and this is the time to get it right.

"With two year's experience to guide us and the advice of many authoritative reports and proposed legislation in other jurisdictions, we are now in a far better position to put in place a much more effective Children's Commission."

The issues paper was developed in consultation with a reference group of child protection advocates and professionals including the Children's Commissioner, Prof. Ian O'Connor from the University of Queensland, the Abused Child Trust, Foster Parents Association of Qld. and the Youth Advocacy Centre.

The paper covers a wide range of issues for discussion including:

- whether the Children's Commission should have broader jurisdiction over other Government Departments and non-Government services provided for children.
- whether the Commission should take on a more pro-active role as an advocate for children and young people.
- whether the Commission should be given powers such as the ability to access documents - to allow it to fully investigate complaints lodged with it, and
- the role and powers of the Commission's Official Visitors who inspect residential facilities which house children to see they are operating in a proper manner.

"I urge all Queenslanders to be involved in the review of this important legislation to ensure a strong future for child advocacy in this State," Ms Bligh said.

A final report and recommendations will be forwarded to the Minister for Families, Youth and Community Care in February 1999 before being released for further consultation.

For copies of the Issues Paper please contact Enquiries at the Department of Families, Youth and Community Care on tel: (07) 3224 8045.

Further information: Pat Gillespie, Children's Commission (07) 3247 5525 or Caroline Fisher, Minister's Office on (07) 3224 7081.

17 Nov 1998

Commissions of Inquiry (Forde Inquiry—Evidence) Regulation 1998

3191

may again see people swimming in the river. Perhaps there will again be sandy riverbanks to play on and people will be able to fish in the river, an activity that has largely ceased in recent times.

Time expired.

**COMMISSIONS OF INQUIRY (FORDE
INQUIRY—EVIDENCE) REGULATION 1998**

Disallowance of Statutory Instrument

Mr BEANLAND (Indooroopilly—LP)

(12.30 p.m.): I move—

"That the Commissions of Inquiry (Forde Inquiry—Evidence) Regulation 1998 (Subordinate Legislation No. 278 of 1998) tabled in the Parliament on 20 October 1998 be disallowed."

At the outset, I reiterate the support expressed by the coalition for the Forde commission of inquiry. We have been very clear in our desire to seek justice for the victims of child abuse. We have always believed that Mrs Forde is an appropriate and most suitably qualified person to serve as commissioner. There can be no doubt that the inquiry presents a very real opportunity to deal with a matter that has long been ignored. We must never condone abuse of any nature within our society. Child abuse is a most reprehensible crime and, as parliamentarians, we must do everything within our power to protect the innocent and weed out the perpetrators. For those reasons, the former National/Liberal coalition Government toughened up the penalties for a range of offences involving children in the Criminal Code. Of course, those offences are not just of a sexual nature but include offences involving violence, such as torture, and the offence of paedophilia. For this reason, the legal standing of the Forde inquiry should not be left to chance.

This motion seeks to disallow a regulation introduced by the Government on the recommendation of the Attorney-General. The Commissions of Inquiry (Forde Inquiry—Evidence) Regulation 1998 essentially amends the provisions of the Children's Services Act 1965 and the Juvenile Justice Act 1992. This Henry VIII style amendment was necessary to facilitate access by the Forde commission of inquiry to documents held by the Department of Families, Youth and Community Care under confidentiality provisions contained within the Children's Services Act and the Juvenile Justice Act. The regulation affects the meaning of the secrecy provisions in the Juvenile Justice Act and the Children's Services Act, such that those

provisions are subject to a summons or request to produce documents and certain other things in writing from the chairperson of the inquiry. Importantly, the Scrutiny of Legislation Committee has stated—

"In the committee's view, this provision that a particular order 'takes precedence' over a provision of an Act constitutes 'amending' that Act. Accordingly, the committee concludes that the regulation does not 'amend statutory instruments only'."

The Opposition opposes the introduction of this regulation because we believe that the matter could have been dealt with quickly and expeditiously through legislation introduced into the Parliament that the Opposition would have been pleased to support. The matter could have been handled very quickly. Indeed, it could have been handled within 24 hours. We do not oppose providing the commission with access to the documents under amending legislation that could have been passed easily by this Parliament, but we oppose the provision of access by the method provided in this regulation—a method that is totally inappropriate.

While Rome burns, the Government and particularly the Minister for Families, Youth and Community Care and the Attorney-General have merely fiddled. They fiddled with a Henry VIII clause because they were too incompetent and lazy to ensure that appropriate legislative provisions were made to provide the commission with access to documents. In fact, the Minister for Families, Youth and Community Care has been so busy screeching and screaming that the issue was not addressed when the commission of inquiry was first established. At that time it was widely acknowledged that, should this inquiry be successful, access to the documents would be required. The problem should have been rectified when the commission was established. Why it was not is a sixty-four dollar question that has never been answered by the Minister. Anyone who had anything to do with the issue would have appreciated fully the problems that were going to occur under the Acts of the Parliament when the commission of inquiry wanted access to the documents that were held by the department. Therefore, the Government's behaviour is totally inexcusable. What is more, the sleight of hand was performed when the Parliament was sitting.

I need not restate the fact that the proceedings of the Forde commission of inquiry are of great importance to many victims

of child abuse. The former Government established the Children's Commission, which ultimately led to this inquiry being established. Any attempt to sweep this matter under the carpet is clearly unacceptable. The victims of child abuse deserve better and Commissioner Forde offers a very important opportunity for victims to seek justice. Unfortunately, Mrs Forde's ability to fully access important documentation held by the Department of Families, Youth and Community Care has been limited by the Minister's own incompetence and her failure to introduce proper and appropriate legislation into the Parliament when there was adequate time to do so.

For good reasons, not the least of which is the strict legislative requirements, the department keeps a tight rein on access to some of the information it has collected. This commitment to maintaining privacy and protecting the interests of many Queensland families and individuals ought to be commended. Nonetheless, amongst the very good people who have been protected by this commitment to privacy, there are some people and records that should and need to be exposed in the pursuit of justice. For this reason, the coalition supports the right of the Forde inquiry to access all the documents and information necessary to complete its investigations.

There are right ways and wrong ways to provide this information. I thank the Attorney-General for contacting me prior to bringing in this regulation. However, that does not get away from the fact that the House was sitting during this period and, over several weeks, there was ample opportunity for the Minister or the Attorney-General to bring in appropriate legislation. It is little wonder that in 1997 the Scrutiny of Legislation Committee reported on a Henry VIII clause and highlighted the problems that the former Goss Government had with this legislation. Of course, those problems continue under this Government, because it cannot get it right. It fails to get it right every time and the Attorney-General has to sail to the rescue of the Minister for Families, Youth and Community Care because, despite her screaming and screeching, she is too lazy to get on with the job. It is terrible that, despite having so many sitting weeks, she was too lazy to bring in a small Bill that could have been passed expeditiously by the Parliament. The Attorney-General has to do that with another Act that is before the House at the moment, but the Minister for Families, Youth and Community Care is too lazy to do so, even though the

Government knew about the matter. Perhaps the Minister had something to hide in her department. That might explain why she failed to introduce a Bill to fix up this problem. She failed to do that, she is guilty of it and she knows it.

That is highlighted in the Scrutiny of Legislation Committee report tabled in the Parliament today. It highlights the fact that the Government had an opportunity to bring in a Bill. However, the Attorney-General pleads urgency. Conveniently, he does not mention the sitting days of the Parliament during this period when an amendment could have been brought in and the Opposition would have agreed to expedite its passage through the House, as we did in respect of the Bills that the Government introduced last week that will be going through the Parliament this week; the Government needs to get those Bills through this Parliament for good and proper reasons.

Government members like to joke about these serious issues and laugh them off. They try to laugh away the issues. However, they know that they are guilty of trying to usurp the role of the Scrutiny of Legislation Committee in respect of the Henry VIII clause. That certainly changes the legislation, as was pointed out by the Scrutiny of Legislation Committee. We want to get the Government to bring in a proper Bill. There is still sufficient time this week to do that. However, it is too lazy to fix up its problems. It cannot be bothered doing the right and proper thing in this regard.

Not only was this an issue in relation to this commission of inquiry; it was raised also during the time after the Children's Commission was put in place. The matter was brought to the attention of the former Government, and legislation was brought into the Chamber to rectify the problem to allow him to gain access to these records. This is something that has been known for a while. In respect of the investigation of paedophilia and the abuse of children, there would need to be legislation to allow that to occur. There can be no excuse for the Minister's not making provision for access to these documents at the outset; furthermore, there was ample opportunity to ensure that the Parliament considered this matter and granted its approval to amend the legislation protecting the confidentiality of these documents.

The inquiry was established on 13 August. There were a number of sitting days after that date when legislation to rectify this matter could have been introduced. However, the Minister is too busy trying to become the Deputy Premier to be concerned about the

processes of the Forde inquiry. Today the Minister said again, "Let's not worry about the detail, let's just get on with it." However, it is important to know these details so as to make sure that the processes are proper.

One can only wonder what sort of advice the Minister is receiving. Perhaps it is the sort of advice that the Minister received in relation to the appointment of Hans Heilpern as an assistant commissioner. Mr Heilpern, one of the commissioners of this inquiry, was sacked as the Director-General of the New South Wales Department of Youth and Community Services. He was an absolute failure when he served previously under the Queensland Government as the Registrar of the Queensland Building Services Authority. I understand from information supplied by the Minister that Mr Heilpern is on the commission of inquiry and is earning some \$1,100 a day to investigate matters similar to those that he was criticised for not investigating in the 1997 report into paedophilia by the royal commission into the New South Wales Police Service. That is the fact of life. Presumably the same thinking and attitude that applied then now applies in relation to these documents. That is alarming to say the least. I am sure that whenever the Minister presents a submission to Cabinet these days her colleagues are asking questions about the matter.

It is wrong for the Government to invoke an archaic Henry VIII legislative clause in relation to this matter. Members would be well aware of the Scrutiny of Legislation Committee's attitude towards the use of these clauses. Again, that is set out in the Alert Digest tabled today. In January 1997 the Scrutiny of Legislation Committee set out to deliver a report on the use of these clauses. The report stated that the committee "urges Ministers to be vigilant and to maintain a firm stance against the use of Henry VIII clauses in Queensland legislation." It is clear that in introducing this regulation the Attorney-General has defied the wishes of that committee and has acted more out of political desperation than in the interests of good government. There is no doubt that the Attorney-General was forced to introduce the regulation because of the gross political incompetence of his colleague the Minister for Families, Youth and Community Care. The Minister does not appear to be willing or able to do the homework that is required in relation to this matter. I wonder what Mr Sullivan, the former deputy chairman of that committee—were he here now—the Minister for Education, the member for Nudgee and the member for

Lytton would think of this course of action. The use of these types of clauses formed part of the deliberations of the former Scrutiny of Legislation Committee. That has now been followed up by the current Scrutiny of Legislation Committee in the Parliament today. I am also sure that deep down those members do not support the Minister's action in relation to this matter.

The Premier has spoken a great deal about lifting parliamentary standards and the dignity of this House. At the very first opportunity the Minister and the Attorney-General have to do something about it they have demonstrated that they are not prepared to come into this House, in the long-accepted fashion, and introduce a Bill to amend a piece of legislation, as is the normal and proper process. They have to be dragged in kicking and screaming.

What does that say about the dignity of the Parliament and parliamentary standards? What does it say to the people of Queensland, who expect good government and responsible Ministers? The coalition has stated that it will support any legislation necessary to provide the commissioner with access to any other necessary Government-held documents. It is clear that this would ensure speedy access to those documents. That is an offer that makes this regulation totally inappropriate. The sensitivity and importance of this inquiry makes it absolutely imperative for the Government to put beyond any doubt any legal questions surrounding access to these documents. As the Office of Parliamentary Counsel highlights, this legislation is outside the guidelines set down in the Cabinet Handbook. It is also—

Time expired.

Mr SPRINGBORG (Warwick—NPA) (12.46 p.m.): I second the disallowance motion moved by the honourable member for Indooroopilly. Before I speak about some of my concerns about the regulation we are debating the disallowance of today, I commend the Attorney-General for his courtesy in notifying me that there was an issue and that the Government wanted to move to make sure that the Forde inquiry could have access to the information that it required to do its duty properly. I very much support that. The Government's objective is eminently sensible. However, my concern is that the process is questionable. This afternoon in my contribution I wish to outline why I believe that to be the case.

The Scrutiny of Legislation Committee has brought down a very balanced and proper report in respect of this matter. It is true that it

Another issue which causes me some concern is certification by the Office of Parliamentary Counsel. It raises some concerns that I believe we do need to put on the Hansard record. The report states—

"6.18 The Department of Justice and Attorney-General has supplied the committee with an explanatory memorandum containing background information about the regulation. The committee notes that the explanatory memorandum provides that:

'Parliamentary Counsel has drafted the regulation but is unable to certify it under the Cabinet Handbook, paragraph 7.4 and considers that the matter should be referred to Cabinet. The office is not satisfied that the regulation has sufficient regard to the fundamental legislative principles.'

6.19 The Attorney-General has provided the committee with a copy of the advice from the Office of Parliamentary Counsel. That advice referred to the 3rd Scrutiny of Legislation Committee's definition of a 'Henry VIII clause' and concluded:

'The issue here is not clear and judgment must be exercised. Ultimately the proposed regulation, because it can specify any Act to put to one side, is too close to the Committee's definition of what is a 'Henry VIII clause' to allow the office to certify it.'

Under "Conclusion", the report states—

"The committee makes no comment regarding the objective the regulation seeks to achieve."

That is something that I indicated earlier in my contribution. It quite clearly indicated that that, of course, was a matter for the Parliament and it is a quite proper and absolutely right objective.

The issue once again is whether proper and due parliamentary process has been followed, whether we should have been debating this in the form of a legislative amendment—and I believe that we should have been doing that. Once again, quite clearly, I believe that the Government did have time to bring this particular matter to the Parliament in the form of a legislative

amendment. That is the point. If we are going to use Henry VIII clauses, we need to be extremely careful in the way that we use them. I know that all members of this Parliament believe that we should be doing the right thing. If we are going to do something that is somewhat questionable in terms of process and it could be done in the proper way, I say that we should err on the side of caution and do it in the proper legislative way.

I conclude with these simple points at the end of the report in 5.3—

"Provisions which allow an order of a Commissioner of inquiry to take precedence over an express secrecy or confidentiality provision in legislation are, in the committee's view, extremely serious. Such confidentiality and secrecy provisions generally exist to protect various rights and interests of clients, staff, and other people in contact with the relevant department. Any provision which takes precedence over the secrecy or confidentiality provisions therefore risks impinging upon these rights and interests. As a general rule the committee considers that provisions of this nature should be fully considered by Parliament, and are not appropriate for inclusion in regulation."

I will now touch briefly on 5.5, which says—

"The committee recognises that in the circumstances the matter is appropriate for regulation, as it is clearly within the legislative provision. However, the committee reiterates its earlier comments that provisions of this nature are more appropriate for legislation."

That is my fundamental point as to why I believe the Parliament should move to disallow this particular regulation. There is no doubt that the legislation says that it can be done. The committee has said that it does not like that particular clause of the legislation and it says that it should be repealed. It goes on further to say that these sorts of issues should be dealt with by legislation. That is why this particular regulation should be disallowed.

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Families, Youth and Community Care and Minister for Disability Services) (12.56 p.m.): One has to hand it to the member for Indooroopilly; he continues to come into this House and lead with his chin. He has come in here today and used an opportunity to once again rail pompously about the dignity of the Parliament. I have to say that, in my view, listening to the member for Indooroopilly promoting respect for the

dignity of Parliament is worse than listening to Henry VIII promoting the virtue of long marriages or, to take a leaf out of the member's own book, listening to Henry V talking about better relations with Europe.

On what ground does the member opposite come in here to seek to do this? He seeks to disallow a regulation that will have the effect of ensuring the release of information which is vital to the work of the Forde inquiry into the abuse and neglect of children. He suggests instead that we should amend two pieces of primary legislation: the Children's Services Act of 1965 and the Juvenile Justice Act of 1992. Both the member for Indooroopilly and the shadow Attorney-General have promoted the view here this morning that in the next two days we could amend those primary pieces of legislation, that we should—in what in my view would be an unseemly rush—rush into amending that legislation, as they did with their own failed attempt earlier this year to amend the Children's Commissioner Act. Not only would this involve a suspension of Standing Orders; it would give us no opportunity to consult with any of the affected departments or non-Government organisations which would be affected by such moves. Talk about a contempt for the Parliament! Let us suspend the Standing Orders, give nobody an opportunity to look at the proposed amendments and rush them through!

Given the parliamentary timetable and the Standing Orders, this could only have been achieved by 10 November at the earliest. Would that have been good enough? Not in my view! If, like the member for Indooroopilly, this Government was in the business of establishing long-term, grand-scale inquiries with limitless budgets, then we too might have pursued the course that he is suggesting by putting forward these two pieces of amending legislation. But we are not in that business. We are in the business of ensuring that an adequate inquiry is held—one which will ensure that the taxpayers' money is protected while getting to the heart of what are very serious matters in our community.

I make no apologies, and nor does this Government, for using the simplest and most straightforward way of guaranteeing that files in the custody of my department were made available to the Forde inquiry as soon as possible. It was not good enough, in my view, to wait another four weeks—what would have been one-sixth of the time allotted to the inquiry to do its work. The member for Indooroopilly knows that the practical effect of the disallowance would mean that this inquiry

would grind to a halt; it would stop in its tracks. One has to wonder: who would this help? How would such a halt come to the assistance of the many people who are now adults and who lived their lives as children in these institutions? It would have the effect of ensuring that no further information would be available to the inquiry.

I should point out that, in the intervening period between the passage of the regulation and today, my department has, as of this morning, cooperated fully with the Forde inquiry's request for information. My department has handed over 150,000 individual folios to the inquiry, and this is only the tip of the iceberg. Earlier this week my department received a 22-page request from the inquiry for more information and, as I speak, it is in the process of compiling that information. Nothing will stand in the way of that information going forward—certainly not the political cheap shots of the member for Indooroopilly, who accuses me this morning of not making provision for this to occur. To the contrary, I say to him that we did make provision; we used the provisions that are available to us. This Government has given a perfectly lawful remedy to achieve the necessary outcome, which was justified given the timing of the inquiry and the speed with which that inquiry is required to report to Government on the important issues before it. The report of the Scrutiny of Legislation Committee, tabled here this morning, confirms this view.

It is important in this debate to make the distinction between the creation of a Henry VIII clause and the use of a Henry VIII clause. The member for Indooroopilly and the coalition as a whole seem to have a great interest now in paying homage to the importance of Henry VIII clauses and in promoting them at the expense of and over and above the importance of children. This concern has only been evident while the coalition has been in Opposition, because the Henry VIII enabling clause in the Commissions of Inquiry Act which gives the Executive Council the power to make regulations such as that which the member for Indooroopilly is now moving to disallow was inserted into that Act by a coalition Government in 1988. Who was a member of the Parliament at the time it was moved? Who was a member of the Parliament that voted for the inclusion of the Henry VIII clause? The member for Indooroopilly! The then Attorney-General, Mr Paul Clauson, said when moving the amendment—

Sitting suspended from 1.01 p.m. to 2.30 p.m.

Ms BLIGH: I quote the then Attorney-General, Paul Clauson, when he introduced the regulation-making power into the Commissions of Inquiry Act. In his second-reading speech he stated—

"Accordingly, the Bill provides for an amendment to the principal Act which establishes a procedure whereby a summons or writing of a chairman of an inquiry will take precedence over any oath taken, affirmation made or provision of an Act relating to secrecy where, by Order in Council, the Governor in Council declares that the secrecy provisions in a particular statute will not apply. The procedure which has been developed will ensure that decisions are made on a case-by-case basis"—

such as has been done here—

"and will also ensure that the views of the Minister of the Crown responsible for the administration of each relevant statute are sought and obtained prior to its being recommended to the Governor in Council ... The provision has been drafted so as to apply to all commissions of inquiry which are held under the Act and, as such, has a general application."

In other words, the Parliament in fact intended the regulation-making power to be used for the very purpose for which it has been used by this Government in relation to the information to go to the Forde inquiry. As I said, the member for Indooroopilly was part of the Parliament that voted for that regulation-making power to be introduced.

In January 1997, the Scrutiny of Legislation Committee tabled a report entitled *The use of 'Henry VIII Clauses' in Queensland Legislation*. The member for Indooroopilly now relies on that report in his opposition to this regulation. Is he as offended by the use of Henry VIII clauses as he claims to be? It must be remembered that he was the Attorney-General of this State in January 1997, when the Scrutiny of Legislation Committee handed down its report. He was the Minister who had administration of the Commissions of Inquiry Act. If he believes that the Henry VIII clause is such an offensive instrument and that it creates such a problem, why did he not remove it when he could have? Why did he not take the opportunity to remove this offending clause from the Bill that he administered in January 1997—18 months before he left office? He now carries on about Henry VIII clauses for political purposes. He used his time in Government and his energy while a Minister for more destructive and

wasteful pursuits, such as the discredited and failed \$14m waste that was the Connolly/Ryan inquiry into the CJC and the slashing of criminal compensation payments to victims of criminal violence and sexual assault.

Let us face it: here we are seeing grandstanding from the failed former Attorney-General. He is playing petty politics with a very important inquiry. Just as he did in his disgraceful attack on one of the commissioners, he is seeking to turn this inquiry into a political football. Unfortunately for him, I and, I believe, all members on this side of the House, and in fact the majority of the public of Queensland, are more interested in the welfare of our children than in the welfare of Henry VIII.

Who are the architects of this attack on the Forde inquiry? It is none other than the very same architects of the Connolly/Ryan inquiry, of the failed Heiner inquiry and of the flawed Children's Commissioner legislation, which was put in place to avoid a commission of inquiry in the first place. It is the very same people who, during their time in Government, refused to establish an inquiry into these matters. It is time for the Opposition to support what it says it does. It continues to say that it supports the inquiry. Does it support this inquiry—yes or no? We constantly hear "yes, but"—"Yes, but we do not support one of the commissioners"; "Yes, but we do not support the information going from the Families Department". It is not good enough.

Members should remember that the effect of this disallowance motion being passed is that all information will stop being given by my department to the inquiry. Every vote for this disallowance motion is a vote for secrecy. It is a vote to hinder the work of the Forde inquiry. If the motion succeeds, nothing can go forward. Without the suspension of Standing Orders, Bills cannot proceed this week and other important legislation will be delayed. If this regulation does not proceed this week, it will have to come in next year, when the inquiry will be one week away from reporting.

The member for Indooroopilly accuses me of having scant regard for the institution of the Parliament. That is about the most ridiculous thing I have ever heard. The member for Indooroopilly is no-one to stand and talk about a lack of respect for the institution of this Parliament. He is the only Minister we are aware of in any western democracy in the world who has refused to stand aside when a vote of no confidence has been passed by a Parliament.

The Government strongly opposes this disallowance motion. This Government strongly supports the Forde inquiry. This Government wants to ensure that the Forde inquiry gains proper access to those files held by the Department of Families that would otherwise be inaccessible by virtue of the Children's Services Act or the Juvenile Justice Act. That is a lawful and proper purpose for the regulation. The scope of the regulation is limited in time and application for the very reason that this Government cares about the need for confidentiality and the need to protect the civil liberties of its citizens, just as this Government cares about respect for the institution of the Parliament. I urge all honourable members to oppose the disallowance motion moved by the member for Indooroopilly.

Motion negatived.

HEALTH AND OTHER LEGISLATION AMENDMENT BILL Second Reading

Resumed from 12 November (see p. 3138).

Mr MICKEL (Logan—ALP) (3.26 p.m.): The other day, in respect of what should have been a very non-controversial Bill, the debate turned into an episode of personal abuse from the shadow Minister. That abuse was not personal abuse of the Minister—Ministers expect to have to take that—but the personal abuse was directed at the senior bureaucracy in the Department of Health.

Who are these people? They are people who were appointed by the current Premier when he was the Health Minister. They were people in whom the now Deputy Leader of the National Party, the member for Toowoomba South, had absolute confidence. In other words, they survived the change of Government unscathed and now, lo and behold, the only person they are not acceptable to is the member for Maroochydore. Why are they not acceptable to the member for Maroochydore? The Minister takes advice from them! According to her, that is their big sin.

The shadow Minister made comments such as, "You shouldn't be listening to the bean counters." I thought that was a rather odd thing to say. I heard her go on to speak about the role of the Chief Health Officer, and she went into some detail. I thought that she knew something about the Chief Health Officer. But then I heard the member for Burleigh and the member for Caloundra make

pretty well the same speech. But lo and behold it was the member for Callide who gave it away. That joker came straight into Parliament from the Monto Council, yet he knew something about the Chief Health Officer. What did that prove? It proved one thing and one thing only: far from listening to bean counters—something that the shadow Minister said we should not do—she had obviously been given the speech and handed it out to all of the other members who spoke. She got that speech from one person and one person only—the Chief Health Officer. The member should not give us this rubbish about not listening to bureaucrats; she does not listen to anybody other than one bureaucrat.

When the shadow Minister said, "These things operate elsewhere", I challenged her. I said, "Name the one other State that does not have these authorities." All other Australian jurisdictions have a senior medical officer who advises on medical or public health matters, but all have limited or no statutory powers. In Victoria and New South Wales, the equivalent to the Chief Health Officer has no statutory powers. Such powers are vested solely in the chief executive.

When I challenged the Opposition spokesperson to name the State, her only offering was the Australian Capital Territory, but it is not a State. In fact, unlike Queensland, the Australian Capital Territory has only one hospital, and that hospital is smaller than the Princess Alexandra Hospital. In other words, she is trying to use a model of anything other than a State. What sort of a joke is she? She has more front than the Myer Centre in coming in here, attacking the Minister and attacking the senior bureaucracy when she cannot point to one single State that has the same set of circumstances.

It is obvious; it is complete hypocrisy. The shadow Minister's speech was written for her. All the notes were written for her by one person, and that person had a vested interest in making sure that she and Opposition members used exactly the same speech. Why do we know that? Because that is the way bureaucracy works! When there is power to be lost, they will hand around the speech, and she was mug enough to pick it up without looking at it. There was the old stand-by of, "There should have been more consultation." Everybody who is on a losing side uses that excuse—more consultation. What about consultation? It was there in February of this year under the former Health Minister.

Mr Grice: Have you got anything to say about the Bill?

[Search](#) | [Subscribe](#) | [Unsubscribe](#) | [Check or change subscription](#)**Search**

Current
Beattie
Government
22 February
2001 to present

Previous
Beattie
Government
26 June 1998 to

22 February
2001

Borbidge
Government
7 August 1997
to
26 June 1998

Families, Youth and Community Care/Disability Services**The Hon. Anna Bligh MP****8 June 1999****Forde heralds new beginning in the care of Queensland children**

The Commission of Inquiry into the abuse of children in Queensland institutions marks a new beginning for children in the care and protection of the State, Minister for Families, Youth and Community Care, Anna Bligh said.

Tabling the Commission of Inquiry report in the Queensland Parliament today, Anna Bligh said the report marks a turning point in Queensland history.

"This moving report chronicles a history of disturbing allegations of emotional, physical and sexual abuse.

"It describes a system at times so cruel it served only to demoralise and brutalise many of the children placed in its care.

"This report has exposed the flaws in past attitudes and practices and outlines solutions for the future," Ms Bligh said.

The Beattie government established the Forde Inquiry on 13 August 1998 to investigate and report on abuse and neglect of children in Queensland institutions, both past and present.

The Minister congratulated the Chair of the Inquiry, Mrs Leneen Forde (A.C.), her commissioners and staff on the excellent report.

The report contains 42 wide ranging recommendations (see attached).

14 allegations of possible criminal conduct have been referred to the Queensland Police for further investigation.

"The report concludes that significant numbers of children in Queensland institutions suffered serious physical, sexual and emotional abuse. In many other cases, there was a failure to provide for the basic needs of children - emotional warmth, food, clothing and education," Ms Bligh said.

The Inquiry also found a number of deficiencies exist in the current system. "There remains an unacceptably high risk of abuse of children, and improved resourcing, monitoring and accountability is required."

Copyright | Disclaimer | Privacy
© The State of Queensland
(Department of the Premier and
Cabinet) 2002.
Queensland Government Gateway

"The Beattie Government is committed to giving active and serious consideration to each and every one of the 42 recommendations. A detailed implementation plan is being developed for Cabinet consideration," Ms Bligh said.

The Beattie Government has already set a number of significant improvements to the system in train. Including:

- The passage of the new Child Protection Act and the development of the child protection reform strategy.
- The establishment of a high level Child Protection Council to advise the government on strategies to prevent and combat child abuse and neglect.
- The approval and implementation of a \$63m infrastructure plan for youth detention centres in Queensland, which will see the closure of the Sir Leslie Wilson Youth Detention Centre, the upgrade the John Oxley and Cleveland Youth Detention Centres and the construction of a new state of the art detention centre.
- A review to strengthen the powers and independence of the Children's Commission as an external monitor of the well being of children in care.
- The introduction of amendments to the Family Services Act to improve the pre-employment screening of departmental officers.

"We have a long way to go yet. Decades of chronic under-resourcing cannot be remedied overnight.

"We must rise to the challenge now being presented to us, and build a system where children and young people are safe from harm.

"I am determined that in years to come, the Forde Inquiry will be remembered as a watershed in the care and protection of our children," Ms Bligh said.

A counselling and support service is available for people effected by the Inquiry on (07) 3237 9611 or 1800 501 560.

Copies of the report will be available from GOPRINT on (07) 3246 3500 or 1800 679 778 and via the Queensland Government website at www.qld.gov.au

Further information: Caroline Fisher, Media Adviser (07) 3224 7081 or 0408 194 920.

Tabled by Mr. Bligh (34)
28/6/03
[Signature]

8 Jun 1999

Ministerial Statement

2149

Gympie and Redcliffe councils about the potential for backflow problems at local hospitals. Again, this is also not true. My advice is that the department, as a building owner, is under no obligation to inform those councils of such issues. Indeed, I would expect any local councillor to know that every building constructed before 1992 has a potential backflow problem.

Finally, the program claimed that a man in Sydney died as a result of backflow contaminated with arsenic—a claim repeated by the Liberal Leader and the member for Maroochydore. Do they stand by that claim? Before I deal with this, I want to say that this is a very, very serious matter. I note that no-one yet has come up with a date or name for this case. All we have is Mr Munro's reference to the incident being recorded by Sydney Water. It seems Mr Munro's word is gospel to the Opposition, but I have had the matter investigated and I can advise the House that the video evidence which apparently Mr Munro used in his program was created by Sydney Water, outlining the possible dangers of backflow. Guess what? Sydney Water cannot confirm any deaths from backflow in Australia at all. It advises—

Opposition members interjected.

Mr SCHWARTEN: This is important and those opposite do not want to hear the truth. Sydney Water advises that the video was not an account of the death of a Sydneysider at all. There was no such event, according to Sydney Water. In fact, the case raised in this video is based—

Mr Johnson interjected.

Mr SPEAKER: Order! The member for Gregory will cease interjecting.

Mr SCHWARTEN: The case raised in this video is based on an American incident. Since it has been aired in the Sydney Water video, others have wrongly claimed it occurred in Sydney.

Mr Watson interjected.

Mr SPEAKER: Order! The member for Moggill.

Mr SCHWARTEN: I repeat: Sydney Water advises that nobody has died from backflow in Australia.

Mr Watson interjected.

Mr SPEAKER: Order! The member for Moggill! That is my final warning.

Mr SCHWARTEN: I will leave it up to honourable members and the public to judge the ethics of a program which accepted and

used such misleading footage and presented it as fact while ignoring other facts I presented to it. Normally I would look forward to a correction or retraction from such a program but, like the Opposition, it is more interested in cheap scare campaigns than in the truth. So there we have it: a factless Opposition exposed in the dirtiest political trick of them all—scaremongering.

I have great faith in our committee system. That is why I am the first Minister to ever ask the committee to scrutinise a departmental program. Now I look forward to the parliamentary Public Works Committee putting an end to this nonsense once and for all.

MINISTERIAL STATEMENT

Forde Inquiry

Hon. A. M. BLIGH (South Brisbane—ALP)
(Minister for Families, Youth and Community Care and Minister for Disability Services)
(10.09 a.m.), by leave: I table for the information of honourable members the report of the commission of inquiry into the abuse of children in Queensland institutions. The Beattie Government established the Forde inquiry on 13 August 1998 to investigate and report on abuse and neglect of children in Queensland institutions. I resolved to seek Cabinet support for this inquiry following deeply disturbing and shocking reports made by many people of their experiences as children living in residential care.

Although many of the people telling their stories were in their forties and fifties, it was not enough to have an inquiry which only explored what happened in the past. It was just as important to look at our current system, to ensure that children in care and in detention centres are not subject to abuse and neglect now or in the future. Indeed, the motivation of many adults for coming forward and telling their story to the inquiry was, in the words of one witness, so "that it doesn't happen to other little kids." Now, after more than six months of investigation and hearings, the inquiry, led by the previous Governor, Mrs Leneen Forde, has produced its report.

At the outset, let me congratulate the commissioners and their staff on an excellent job. Much of the inquiry was conducted under very difficult and emotionally exhausting circumstances, but the results have truly been worthy of their effort. I also acknowledge the work of the officers of my department and the Children's Commission who have worked tirelessly to ensure that the inquiry had

complete and open access to more than 1,500 files.

This is not an easy report to read. It shines a light into a dark and shameful episode of our history. It is difficult not to be deeply affected by the evidence it contains of physical, sexual and emotional abuse, neglect and deprivation of children for whose wellbeing the State was responsible. Although many of these children resided in orphanages, only a small proportion were actually orphans. Some of them came into the care of the State because of parental abuse, some because they were child migrants from Britain and others simply because they were indigenous children. In this regard the report builds on the work of the Bringing Them Home inquiry and documents the fate of many indigenous children taken into care. Other children in the institutions examined were placed in care because their parents could not afford to raise them or had been widowed or abandoned. These families lived in a time before social safety nets such as supporting parents benefits, family allowance and child care were available to support them.

The report concludes that significant numbers of children in Queensland institutions suffered serious physical, sexual and emotional abuse. In many other cases, there was a failure to provide for the basic needs of children, including emotional warmth, food, clothing, medical services and education. One of the key issues explored in the report is the extent to which individuals themselves or the systems in which they worked were responsible for the abuse of children in our institutions. The report summarises this issue so clearly that I can only quote from it—

"Although it was individuals who perpetrated each act of abuse, they alone cannot shoulder the whole responsibility. Some measure of responsibility must be taken by those to whom the abuses were reported and who did not act, those in charge of the institutions who did not have sufficient safeguards in place to protect the children, those members of religious organisations who turned a blind eye, the staff and the management of the Department of Children's Services who did not adequately monitor the children in their care, successive State Governments that have not sufficiently valued children to resource the department entrusted with their care, and society, which ignored or accepted what happened to children in the care of the State."

Nevertheless, some individuals may face prosecution. Fourteen allegations of possible criminal matters have been referred to the Queensland police for further investigation by the inquiry. In other cases which may have constituted criminal activity, the inquiry found there was either insufficient evidence, people were unwilling to press charges or the alleged perpetrator was no longer alive.

While the report examines some matters concerning St Joseph's Orphanage at Neerkol and Karrala House, it has also provided me with a closed report about these institutions which I am not able to table today. The reason for this is that current prosecutions or legal action in relation to these facilities may be jeopardised. When these legal actions are completed, I give my full commitment that this second document will also be tabled in this Parliament.

The most powerful voices in the inquiry belong to those who were children in the system. For example, a man who spent time in Westbrook as a boy recalled—

"I saw many floggings—terrible floggings. You'd see him flog them over the back with blood running down their back. I've had blood running down myself."

Or another who described being hit 58 times by the master in the dining room in the presence of other children who were made to watch and count the number of times the boy was hit. Or the story of a 12 year old boy who was sexually assaulted by a priest on 14 occasions over a two-and-a-half-year period.

Just as disturbing as these graphic examples of physical and sexual abuse is the testimony of harsh and bleak environments—environments where thousands of young Queenslanders grew up without basic food, clothing or education; where the spontaneity and joy of childhood was systematically squashed; where the normal behaviours of childhood, such as tantrums or bed-wetting, were cause for punishment or ritual humiliation; and where love, care and affection were virtually unknown. This is well captured in evidence from one of the nuns, who recalled—

"All those babies, they'd always be putting their arms up and you didn't have time to give them any individual love. That was my one big sorrow always that I couldn't love them as I wanted to."

Some might say in response to these stories, "Well, if things were so bad, why didn't more people or the children complain?" The evidence is that some did speak out. Often the

children of yesterday, today and the future whose needs you have so passionately represented.

SITTING HOURS; ORDER OF BUSINESS

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (10.20 a.m.): by leave, without notice: I move—

"That notwithstanding anything contained in the Standing and Sessional Orders, for this day's sitting, the House can continue to meet past 7.30 p.m.

Private members' motions will be debated between 6 and 7 p.m.

The House can then break for dinner and resume its sitting at 8.30 p.m.

Government Business will take precedence for the remainder of the day's sittings, except for a 30-minute adjournment debate."

Motion agreed to.

PUBLIC WORKS COMMITTEE

Reports

Mr ROBERTS (Nudgee—ALP) (10.21 a.m.): I lay upon the table of the House two Public Works Committee reports, namely report No. 57 relating to the committee's inquiry into the construction of the Ron Camm Bridge and port infrastructure development by the Mackay Port Authority, and report No. 58 on its inquiry into the construction of the Tarong-Blackwall power transmission line. With respect to all projects, the committee was satisfied with all matters falling within its terms of reference. In particular, the committee compliments the Department of Main Roads for its work on the Ron Camm Bridge in Mackay. The project was completed six months ahead of schedule and was under budget.

I take this opportunity of thanking all those who assisted the committee with these inquiries. In particular, I thank my fellow committee members for their assistance and support. I also thank the committee staff for their assistance. I commend the reports to the House.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mrs LAVARCH (Kurwongbah—ALP) (10.22 a.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's Alert Digest No. 7 of 1999. I move that it be printed.

Ordered to be printed.

NOTICES OF MOTION

Nelly Bay Development, Magnetic Island

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.22 a.m.): I give notice that tonight I will move—

"That this House supports the Government's handling of the Nelly Bay harbour development at Magnetic Island."

Disallowance of Statutory Instrument

Mr FELDMAN (Caboolture—ONP) (10.22 a.m.): I give notice that tomorrow I shall move—

"That the Fisheries Amendment Regulation No. 3 of 1999 and Subordinate Legislation No. 58 of 1999 tabled in this House on 13 April 1999 be disallowed."

PRIVATE MEMBERS' STATEMENTS

Water Backflow

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (10.23 a.m.): The State Government's backflow prevention program began under the Goss administration in 1995, continued under the Borbidge Government, and then under the Beattie Government until just a few months ago. The continuum was shattered early this year when a major contract involving backflow prevention in the high priority area of public health was cancelled without warning. This inexplicable decision has derailed a crucial element of the Government's program. It has also exposed taxpayers to a compensation claim of nearly \$500,000 for breach of contract. The Minister for Public Works and Housing has a lot of explaining to do.

Contrary to the Minister's self-serving protestations, it is not scaremongering to give a sense of the gravity of this issue by detailing potential consequences, including loss of life. I have acknowledged that any one of us has more chance of winning the casket than dying from backflow, but the fact remains that people can and do win the casket quite regularly.

The Government's own report makes it clear that backflow has resulted in loss of life as well as many other terrible consequences. I remind the Minister of what he said in his press release of 9 March—

"There had been one recorded death from backflow—in Sydney in the early 1990s in an incident involving a person

response they received was disbelief and inaction or, worse still, more punishment. Many did not, or could not, speak out, communicating their anger and distress, as children often do, through behaviour such as head banging, biting or aggression instead. Often this resulted in additional punishment and, in many cases, transfers to harsher institutions such as detention centres. This all resulted in further loss of the trust that is every child's birthright.

Although this report documents an era in which attitudes and standards were different, the inquiry found that the abuses disclosed went far beyond the acceptable limits of the time. It would also be a mistake to conclude that these abuses were all in the past or occurred in all institutions at all times. In the same way, it would be a mistake to say that all staff were involved in abusing children in their care. Many staff past and present have provided and continue to provide quality professional care. However, the inquiry makes significant findings about the current child protection system and youth justice system.

The inquiry found clear indicators of risk in current residential care facilities, including physical and social isolation of facilities, inadequate recruitment and selection procedures, deficient physical environments and inadequate procedures for reporting and responding to abuse. It has also found that current detention centres are physically inadequate and offer less to young offenders than the adult prison system does to its adult offenders.

The report makes 42 recommendations. Broadly, these require both responses to the past abuse of children by both Government and the churches and urgent reforms to our current child protection and youth detention systems. I can assure members of the House that active and serious consideration is being given to each and every one of these recommendations. I have directed my director-general to develop a detailed implementation plan for Cabinet consideration. It is my intention to provide this implementation plan to the Parliament during the August sittings of this year.

During the life of this inquiry, the Beattie Government has implemented a number of significant improvements to the system. These include—

- the passage of the new Child Protection Act and the development of a child protection reform strategy;

- the establishment of a high-level Child Protection Council to advise the

- Government on strategies to prevent and combat child abuse and neglect;

- the implementation of a \$63m infrastructure plan to rebuild our youth detention system;

- a review of the Children's Commission to strengthen its powers and independence as an external monitor of the wellbeing of children in care; and

- the introduction of amendments to the Family Services Act to toughen the pre-employment screening of departmental officers.

We have a long way to go yet. The chronic underresourcing of services to children and young people cannot be remedied overnight. We must rise to the challenge that is now being presented to us and build a system where children and young people are safe from harm.

I am determined that, in years to come, the Forde inquiry will be remembered as a watershed in the care and protection of Queensland's children. I trust that all who read the report will be moved by its contents, as I have been. If it is difficult to read, I urge you to imagine what it was like to live it. I trust also that our efforts to implement the recommendations and build a new and better system will have the active support of all members of this House.

I realise the distress that this report may cause many people. For some, it will bring back unhappy memories that they would rather had stayed hidden forever. For others who worked in the system, struggling to provide adequate care for children within limited resources and doing the best they could, there may be grief and shame at the harm sometimes unintentionally caused. I wish to assure all those affected by the inquiry that ongoing counselling and support will be provided. Details of this service will be forwarded to all electorate offices today.

Finally, I would like to acknowledge those people who came forward to tell their stories to the inquiry, some of whom are with us in the gallery today, and I acknowledge them. Many of them spoke of painful childhood experiences for the first time, breaking decades of silence. All of these witnesses are ordinary Queenslanders, struggling to overcome the abuse and deprivation of their past, to build a life for themselves and their families. I say to each of these brave people: thank you. Without you, this inquiry would not have been possible. I honour you for your courage and I thank you on behalf of the

Tabled by the Premier
28/5/03 (85)
[Signature]

FAMILIES YOUTH AND COMMUNITY CARE; DISABILITY SERVICES

IN ATTENDANCE

Hon. A. M. Bligh, Minister for Families,
Youth and Community Care and
Minister for Disability Services

Mr K. Smith, Director-General

Mr A. O'Brien, A/Director, Service Strategy

Ms R. Sullivan, Children's Commissioner

Ms B. Griffiths, Senior Policy Adviser

The CHAIRMAN: The hearings of Estimates Committee G are now resumed. The next item for consideration is the proposed expenditure for the Minister for Families, Youth and Community Care and Minister for Disability Services. The time allotted is three hours. For the information of the Minister and new witnesses, the time limit for questions is one minute and for the answers, three minutes. A single chime will give a 15-second warning and a double chime will sound at the end of these time limits. An extension of time may be given with the consent of the questioner. A double chime will also sound two minutes after an extension of time has been given. Sessional Orders require that at least half the time available for questions and answers in respect of each organisational unit is to be allotted to non-Government members and that any time expended when the Committee deliberates in private is to be equally apportioned between Government and non-Government members. In accordance with Sessional Orders, the Minister is permitted to make an opening statement of up to five minutes' duration. Again, a single chime will give a 15-second warning and a further double chime will sound at the end of that time limit. For the benefit of Hansard, I ask the departmental officers to identify themselves before they first answer a question.

I now declare the proposed expenditure for the Minister for Families, Youth and Community Care and Minister for Disability Services to be open for examination. The question before the Committee is—

"That the proposed expenditure be agreed to."

Minister, would you like to make a short introductory statement or do you wish to proceed directly to questioning?

Ms BLIGH: I would like to make a statement, thank you.

The CHAIRMAN: You have five minutes.

Ms BLIGH: Mr Chairman and members of the Committee, I would like to start by thanking my department and senior officers for the hard work that they have put in in putting the budget and the Estimates material together.

This budget marks a watershed in the history of the Department of Families, Youth and Community Care. The budget ushers in the most significant period of reform in the history of the department. Last year's budget laid the foundations for some badly needed change. This budget allows us to drive that reform home. The 1999-2000 budget will enable us to continue rebuilding Queensland's child protection system. It will allow us to continue the funding revolution in disability services and to deliver a safer and more secure youth detention system.

When we came to Government I inherited a department that was incredibly underresourced, with little direction and little hope of change. The neglect of the previous Government presented us with a challenge to rebuild this department so that Queensland children and families receive the services they need. The former coalition Government not only failed to take up this challenge, but it turned a blind eye to it.

Mr Chairman, I am proud to say that the Beattie Labor Government has taken that challenge head on. This year's budget will see an increase in funding for child protection of almost 50% over four years—the most significant commitment by any Queensland Government. Guided by the Forde inquiry and the Beattie Government's child protection reform strategy, we have committed an additional \$10m this financial year, building to \$40m a year by 2002. This will see an injection of \$100m over that four-year period.

This year's budget will see the first full year effect of our Government's \$30m increase in disability funding for unmet needs. On top of the record \$30m, this year's budget commits an additional \$2.048m a year to support young Queenslanders through the Moving Ahead program.

This budget drives home reform and it injects levels of funding that the previous Government did not even try to deliver. It marks a new beginning in the provision of services to Queensland families and children by my department. We can achieve this reform because we have spent the past 12 months laying the foundations for change. I would like to thank my director-general and the department as a whole for their hard work and